

3672. Also, petition of Ernest M. Swett, of Bangor, Me., and many others, urging the speedy consideration and passage of House bill 2562, providing for increased pension to veterans of the Spanish-American War; to the Committee on Pensions.

3673. By Mr. STRONG of Pennsylvania: Petition of citizens of Callensburg, Pa., in favor of increased rates of pension for Spanish War veterans; to the Committee on Pensions.

3674. By Mr. SWICK: Petition of H. M. Fulton and 138 residents of New Castle, Pa., and vicinity, urging enactment of House bill 2562 and Senate bill 476, for the relief of veterans of the Spanish-American War; to the Committee on Pensions.

3675. By Mr. TEMPLE: Petition of a number of residents of Washington County, Pa., in support of legislation that would increase the rate of pension to veterans of the Civil War and widows of Civil War veterans; to the Committee on Invalid Pensions.

3676. By Mr. UNDERHILL: Petition of Florence MacLean, of West Somerville, Mass., and others, for a change in the reading of the Public Law No. 952, Seventieth Congress; to the Committee on World War Veterans' Legislation.

3677. By Mr. WARREN: Petition of D. R. Britten and 63 other citizens of Harrellsville and Colerain, N. C., favoring the enactment of House bill 2562, for increased pensions for Spanish-American War veterans; to the Committee on Pensions.

3678. By Mr. WHITTINGTON: Petition of C. S. Budgers, of Leland, Miss., and 36 other citizens, favoring the passage of House bill 2562; to the Committee on Pensions.

3679. Also, memorial of the Legislature of the State of Mississippi, asking for a tariff on all foreign-raised cotton; to the Committee on Ways and Means.

3680. By Mr. WOLVERTON of New Jersey: Petition of citizens of Penns Grove, N. J., and Carneys Point, N. J., and vicinity, urging enactment of Senate bill 476 and House bill 2562, granting increased pensions to Spanish-American War veterans; to the Committee on Pensions.

3681. By Mr. WOOD: Petition of residents of Hammond, Ind., asking for legislation which will increase the rates of pension of the Spanish-American War veterans; to the Committee on Pensions.

3682. By Mr. WYANT: Petition of uncompensated disabled American veterans of the World War, of National Military Home, Dayton, Ohio, advocating passage of Rankin bill (H. R. 7825); to the Committee on World War Veterans' Legislation.

3683. Also, petition of citizens of Greensburg, Westmoreland County, Pa., advocating passage of Senate bill 476 and House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

3684. Also, petition of citizens of Irwin, Westmoreland County, Pa., and vicinity, advocating passage of Senate bill 476 and House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

3685. Also, petition of citizens of western Pennsylvania, advocating passage of Senate bill 476 and House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

3686. Also, petition of members of Yukon Council, No. 213, Junior Order United American Mechanics, Yukon, Westmoreland County, Pa., urging Congress to put Mexican immigration on a quota basis; to the Committee on Immigration and Naturalization.

SENATE

TUESDAY, January 28, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum. The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Couzens	Harrison	Norbeck
Baird	Dill	Hatfield	Norris
Barkley	Fess	Hawes	Nye
Bingham	Fletcher	Hedin	Oddie
Black	Frazier	Howell	Overman
Blaine	George	Johnson	Patterson
Bleace	Gillett	Jones	Phipps
Borah	Glass	Kean	Pine
Bratton	Goff	Kendrick	Ransdell
Brock	Goldsborough	Keyes	Robinson, Ind.
Brookhart	Gould	La Follette	Robison, Ky.
Broussard	Greene	McKellar	Schall
Capper	Grundy	McMaster	Sheppard
Connally	Hale	McNary	Shipstead
Copeland	Harris	Metcalf	Shortridge
		Moses	Simmons

Smith	Swanson	Tydings	Watson
Smoot	Thomas, Idaho	Vandenberg	Wheeler
Steck	Thomas, Okla.	Wagner	
Steiner	Townsend	Walcott	
Sullivan	Trammell	Walsh, Mont.	

Mr. FESS. I wish to announce that my colleague the junior Senator from Ohio [Mr. McCulloch] is unavoidably detained from the Senate. I would like to have this announcement stand for the day.

The PRESIDENT pro tempore. Eighty-one Senators having answered to their names, a quorum is present.

PETITIONS

Mr. SHIPSTEAD presented numerous resolutions adopted by branches of the Minnesota Federation of Women's Clubs and allied organizations in the State of Minnesota representing over 70,000 women, favoring the prompt ratification by the Senate of the proposed World Court protocol, which were referred to the Committee on Foreign Relations.

Mr. VANDENBERG presented a resolution adopted by the City Commission of Grand Rapids, Mich., favoring the passage of legislation designating October 11 as a memorial day for Gen. Casimir Pulaski, Revolutionary War hero, which was referred to the Committee on the Library.

Mr. JONES presented a resolution adopted by Elias J. Messenger Post, No. 1428, Veterans of Foreign Wars, of South Tacoma, Wash., favoring the passage of legislation granting increased pensions to Spanish War veterans, which was ordered to lie on the table.

Mr. CAPPER presented a resolution adopted by the Board of City Commissioners of Emporia, Kans., favoring the passage of legislation granting increased pensions to soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, and the China relief expedition, which was ordered to lie on the table.

Mr. THOMAS of Oklahoma presented petitions of sundry citizens of Oklahoma City, Okla., praying for the passage of legislation granting increased pensions to Spanish War veterans, which were ordered to lie on the table.

Mr. TYDINGS presented a petition of sundry citizens of Anne Arundel County, Md., praying for the passage of legislation granting increased pensions to Spanish War veterans, which was ordered to lie on the table.

REPORT OF POST OFFICES AND POST ROADS COMMITTEE

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 5616) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes, reported it with amendments and submitted a report (No. 144) thereon.

REPORT OF POSTAL NOMINATIONS

Mr. PHIPPS, as in open executive session, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were ordered to be placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE:

A bill (S. 3332) for the relief of J. T. Bonner; to the Committee on Claims.

By Mr. NORRIS (by request):

A bill (S. 3333) to authorize the Public Health Service to provide medical service in the Federal prisons; to the Committee on the Judiciary.

By Mr. McNARY:

A bill (S. 3334) granting an increase of pension to Nellie A. Getchell (with accompanying papers); to the Committee on Pensions.

A bill (S. 3335) conferring jurisdiction upon the Court of Claims to hear and determine claims of certain bands or tribes of Indians residing in the State of Oregon; to the Committee on Indian Affairs.

By Mr. COPELAND:

A bill (S. 3336) to provide for cooperation with the several States in the care, treatment, and rehabilitation of crippled children, and for other purposes; to the Committee on Commerce.

By Mr. TYDINGS:

A bill (S. 3337) for the relief of the American Transatlantic Co.; to the Committee on Claims.

A bill (S. 3338) granting a pension to Benjamin C. Walker; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3339) to authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary, and for other purposes; to the Committee on the District of Columbia.

By Mr. METCALF (by request):

A bill (S. 3340) to amend an act entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, as amended; to the Committee on Education and Labor.

By Mr. JONES:

A bill (S. 3341) providing for the acquirement of additional lands for the Naval Air Station at Seattle, Wash.; to the Committee on Naval Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 3342) granting a pension to James Howard Morey (with accompanying papers); and

A bill (S. 3343) granting an increase of pension to Leacy V. Gilbreath Welch (with accompanying papers); to the Committee on Pensions.

By Mr. HOWELL:

A bill (S. 3344) supplementing the national prohibition act for the District of Columbia; to the Committee on the Judiciary.

A bill (S. 3345) for the relief of Julian E. Gillespie of the Bureau of Foreign and Domestic Commerce, Department of Commerce (with accompanying papers); and

A bill (S. 3346) for the relief of Mary Weaselhead Yellow Owl (with accompanying papers); to the Committee on Claims.

By Mr. McKELLAR:

A bill (S. 3347) authorizing an appropriation for the establishment of a fish-cultural station at Reelfoot Lake in Obion County, Tenn.; to the Committee on Commerce.

By Mr. ROBINSON of Indiana:

A bill (S. 3348) to correct the military record of George F. Freeman (with an accompanying paper); to the Committee on Military Affairs.

AMENDMENTS TO THE TARIFF BILL—SULPHATE, ETC.

Mr. ASHURST (for Mr. HAYDEN) submitted three amendments intended to be proposed by Mr. HAYDEN to House bill 2667, the tariff revision bill, which were ordered to lie on the table and to be printed.

MESSENGER IN OFFICE OF THE SERGEANT AT ARMS

Mr. McNARY submitted the following resolution (S. Res. 205), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms of the Senate is authorized and directed to employ a messenger in the office of the Sergeant at Arms to be paid at the rate of \$2,040 per annum out of the contingent fund of the Senate until otherwise provided by law.

COMMITTEE SERVICE

On motion of Mr. WALSH of Montana, and by unanimous consent, it was

Ordered, That the Senator from Alabama, Mr. BLACK, and the Senator from Florida, Mr. TRAMMELL, be assigned to service upon the Committee on Education and Labor; that the Senator from Iowa, Mr. STECK, be assigned to service upon the Committee on Manufactures; that the Senator from South Carolina, Mr. SMITH, be assigned to service upon the Committee on Naval Affairs; and that the Senator from Georgia, Mr. HARRIS, be assigned to service upon the Committee on Military Affairs.

ADDRESS OF SENATOR GRUNDY, OF PENNSYLVANIA

Mr. FESS. Mr. President, I ask unanimous consent for leave to have published in the RECORD an able speech relative to the protective-tariff principle delivered on last Saturday evening by the junior Senator from Pennsylvania [Mr. GRUNDY] before the Manufacturers' Club of Philadelphia.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer, Sunday morning, January 26, 1930]

INDUSTRY AND THE PROTECTIVE PRINCIPLE

To me it seems most fitting that my first public appearance since my appointment as a United States Senator should be within the Manufacturers' Club. I always have been interested in all of those things for which the club stands, and over a long period of years I frequently have had the privilege of participating in its activities as an individual. In addition to that, because of the part my father had in the affairs of the club's earlier years, it always will hold a place of deep sentimental attachment in my heart.

The outstanding policy for which the club has stood, in which we have had a common interest, is the protective-tariff principle, and we have been in entire agreement that upon that policy of government the whole industrial structure of this country has been reared. It was that principle, and the issues revolving around it, that brought this club into existence; and for nearly half a century it has defended, espoused, and advanced the protective doctrine, with increasing prestige and a constantly widening sphere of influence.

It was that interest in a protective tariff, with all that it means to labor and industry alike, and hence to all business and trade, especially in such a predominantly industrial State as Pennsylvania—together with certain moral obligations to my fellow citizens of Pennsylvania which I felt I had assumed in the national campaign of 1928—that took me to Washington just about a year ago.

RECOUNTS EXPERIENCES AT NATIONAL CAPITAL

Washington is the great theater of national events—sometimes tragic, often humorous, but invariably interesting and always instructive, if one goes upon the principle that in every situation, and from all people, there is something valuable that may be learned. As you may have heard, my own experiences there were somewhat varied and sometimes hectic. Certainly their outcome could not have been predicted and was beyond the realm of remote thought at the time I went to Washington, in January, 1929. But in many respects they afforded opportunity for learning, and it is concerning some of my observations, and the conclusions drawn from them, that I want to speak to-night.

The first thought that I would like to present to you has to do with the distinct and divergent functions of the respective divisions of government under our system; in which we have the municipal, county, and State units upon the one hand and the Federal Government upon the other.

These constitute the two grand divisions of government under our Constitution. In a political, governmental, and economic sense this is the arrangement of authority and obligation under which we carry out the difficult and intricate job of doing our national housekeeping. And in seeking to set forth what I conceive to be the complementary but definitely separated general functions of these two grand divisions of government, I do not think I could illustrate with a more homely simile than by likening the situation to the broad arrangement of responsibilities which prevails in the average American home.

There the duties of the wife and mother, while of the most important character, largely are localized to the home and have to do with all the cares under which the various phases of the family life are carried on. She has the care of the children and, in a major sense, the supervision of their education and upbringing. Upon the wife and mother fall the thousand and one things of an administrative character which go to make up the daily routine of maintaining and managing the average home.

It seems to me that in a general way this is analogous to and illustrative of the broad field of public authority and responsibility encompassed by that division of government which is organized and expressed in the local forms which range from the smallest political units to that of the State. As with the cares and duties of the wife and mother in the home, these smaller subdivisions of government relate to the personal side of our existence and pertain to the safeguarding of health, life, and property and to the maintenance of community life and society as organized.

AMERICAN OPPORTUNITY ENVY OF WHOLE WORLD

To continue the illustration further, however, it is the part of the husband and father in the family to go out into the world, to form the necessary contacts in whatever the field selected, and then to carry on those activities which deal with the material things of life, so as not only to provide income for the current expenses of existence, but also to add to the capital account as a competence for future years. This, I feel, is that part of the maintenance of family life which is analogous to the Federal Government's position in our constitutional scheme of things.

For with its authority to make treaties with foreign governments, its right to regulate navigation and commerce with the rest of the world, its power to lay taxes upon imports, great prerogatives of far-reaching effect exist. And it has been the wise and intelligent use of these powers, in the development of our natural resources, in encouraging industry, and in retaining within this country the business and money needed in supplying our people with the requirements of daily consumption, that there has been built up here a Nation whose opportunities and prosperity in the past 70 years have been the wonder and envy of the world.

It is of the husbandly part of the picture—or the Federal Government's place in the national scheme of things—that I want to speak to-night.

I have said that when these husbandly powers of the Government are intelligently used, results of great benefit have accrued to our people. From that standpoint, surveying the situation as it has developed since the formation of our Government, I should say that in a broad economic

sense, in the last 150 years, we have passed through two distinct periods and are now in a third.

It will be remembered that with the adoption of the Constitution and the enactment of the legislation which quickly followed it the young Nation was off to a flying start. During the ensuing 25 years or so the Federal Government was relieved of any great exertion in what I have described as the husbandly rôle, due to the fact that the Napoleonic Wars which convulsed Europe, coupled with our own War of 1812, created a period of feverish prosperity and development here that was not unlike the experiences which our country passed through during the recent World War.

COUNTRY FAILED TO HOLD EARLY GAINS

It was not ordained, however, that the first flush of our national existence and development—that earliest era of the encouragement of individual energy and initiative, and the establishment, protection, and expansion of our newly created industries and productive activities—was to last. For, from 1815 practically continuously to the outbreak of the Civil War, he whom we might designate as the “man of the American home”—the National Government—not only failed to consolidate and retain what had been gained in the first 25 years of our national existence, but permitted such retrogression that by 1860 our national income was woefully insufficient to our current requirements, our credit was at lowest ebb, and financial and industrial disaster prevailed or impended on every side.

The outbreak of the Civil War brought about a return, upon a larger and more energetic scale, of that general progress and development which had marked our earliest years as a Nation. Large sums of money were required to prosecute the conflict for the preservation of the Union, and as one of the means thereto higher and higher taxes were laid upon imports, thus out of the necessities of war applying the Hamiltonian theory and stimulating domestic manufacture.

During most of the 70 years that have intervened the wise application of those governmental principles to the development of our natural resources, to the production in this country of the commodities necessary to meet our daily requirements, thus keeping the money of that commerce within the United States, resulted not only in the employment of all our people, but attracted millions of workers to our shores. The consequences were that communities were built up, utilities developed, and transportation systems established as they exist nowhere else in the world; and while from the beginning of Colonial times to 1860 our population reached only 30,000,000, the pending census is expected to show a population of 115,000,000.

In constantly increasing measure we have had a greater and more diffused enjoyment of material prosperity than has existed in any other country in the world. All of this, however, has not been brought about without marked changes in our economic conditions and relationships, which is the especial subject of my thought to-night.

INDUSTRY BASED ON PROTECTIVE PRINCIPLE

With the development and expansion which came with the Civil War our industrial structure continued to be in the form of individual units, with the more or less close relationships between employer and employees; and this condition continued throughout the succeeding 40 years. This period embraced the Civil War tariffs and those which immediately followed; the unfortunate and backward revision of 1883 (the consequences of which brought the Manufacturers' Club into existence); the well-balanced and protective McKinley tariff of 1890; and the widely disastrous Democratic revision known as the Wilson bill in 1894. Productive enterprises existed in the form of small units, and in large measure the employers themselves came from the ranks of the employed, as a consequence of energy, application, and the saving of surplus earnings.

In all the aspects of its progress and development, therefore, I would characterize the era, particularly from 1860 to the removal of the Wilson bill from the statute books in 1897, as the first period of a new economic life, and during that period the enactment of all our constructive tariff legislation was with the aim of creating new and more diversified manufacturing enterprises, and of protecting those already in existence.

It was approximately with the enactment of the Dingley Tariff of 1897 that we came into what I would describe as the second period of this internal economic life—the period of the passing of many of the small and individual industrial units, with their intimate contacts between the owner and his employees; the period of larger enterprises in corporate form, and consolidations of many enterprises of like character into single big businesses.

This continued not only throughout the years of the Payne-Aldrich Tariff, which supplanted the Dingley law in 1909, but also throughout the life of the Underwood-Simmons Act; for, during a major part of the period that this Democratic tariff was in existence, 1913–1922, the World War gave us an artificial protection, and, at the same time, a war-time prosperity under which some of our industrial development was pushed to a productive capacity considerably in excess of domestic peace-time demands.

INDUSTRY EXPANDS UNDER PROTECTION

I think it may be said with a fair degree of accuracy that, throughout both the first and the second periods of our economic history, our constructive and protective tariff legislation was the consequence of the educational work carried on, and the strenuous efforts put forth, by domestic industry, plus an enlightened and forward-looking statesmanship in both branches of Congress, without much direct help from labor.

I do not make that statement in any spirit of the slightest derogation of labor, for it is self-evident that the party of protection could not have been so frequently successful in the elections without the votes of our working people, and particularly the employees of our industrial plants, our mines, our transportation systems, etc. As a matter of fact, if for no other reason than that of intelligent self-interest, the workers of the United States, as a body, always have been for tariff protection of their wage scales, and only upon rare occasions have they permitted other issues to obscure or minimize that which is the most important of all to them. But what I do mean to say is that it had been largely left to industry to appear before the tariff committees of Congress with the evidence and arguments in support of the retention or enactment of protective legislation.

Thus we come to the close of the second period in this economic history and the opening of the third. And it is to be noted that up to the point to which this brings us we always have had a situation in which our industries and their labor, being concentrated within the United States—and our financial institutions—practically were united in their support of the protective principle under which our great industrial structure has been erected and by which it and our wage scale and our standard of living are sustained.

I would not attempt to fix the exact time when the transition from the second to the third of these economic periods really took on a substantial momentum; but if I were called upon to define in general terms the difference between the change from the first to the second period, and that which took us from the second into the third or present period, I should say that the first change was evolutionary in character, in that it was a logical and natural development in the course of our national economic progress and expansion; while the more recent change is revolutionary in its nature, because it brings wholly new considerations into our national economy and involves a large-scale abandonment of the historic principle most vital to the preservation and expansion of our internal development and to the labor employed therein.

This third and present era in our economic history might be described as the period of migration of American capital (and in some instances the complete removal of domestic industrial plants) to foreign countries.

For, as a consequence of the stimulus given our industries by the World War, the continued trend toward consolidations and mergers, and certainly to some extent because there is available in foreign countries ample supplies of cheap labor, a progressively large number of our big corporations are going abroad with their surplus capital and either erecting factories or purchasing existing plants. From there they not only are supplying such foreign trade as they previously may have built up from their American mills, but also are seeking to sell here, in competition with American industry and domestic labor, the products manufactured with their much cheaper labor abroad.

The results are at least threefold. In the first place, many of these corporations which previously were most active supporters of the protective-tariff principle, no longer have that interest. Upon the contrary, in many instances, because they are bidders for the American market from abroad they actually are in the same position as the exporting foreign manufacturer, and, like the latter, now are opposed to a tariff which would adequately protect American industry and labor. Secondly, to the extent that they employ abroad they have diminished the amount of employment that otherwise would have been available to American labor. And thirdly, to the extent that they can land competitive products here which have been made by foreign labor, and at a price advantage over similar domestic products, they diminish the demand for American labor by American mills and factories.

Capital is liquid and is bound to flow into the channels of largest profits consistent with security. Labor, upon the other hand, is more or less fixed and permanent. Where it settles it usually stays unless the means of existence are withdrawn. Furthermore, even if American labor were inclined to be migratory, it is evident that it could not profit itself by following American capital into the low-wage countries of Europe or elsewhere. By reason of the very economic facts which govern the situation, therefore, the battle ground of domestic labor is right here in the highest wage country in the world; and the protective tariff is labor's fight in a way that it never has been before.

LABOR FULLY ALIVE TO FOREIGN MENACE

In making that statement I do not mean that tariff protection is labor's fight alone. But I do mean that in this third period of our economic history labor has more at stake and a greater concern in protection than ever before. That labor itself recognizes this fact was amply demonstrated in the tariff hearings of the pending revision. No more intelligent or comprehensive presentations were made than those

offered by the representatives of labor. And in contending aggressively against the existing foreign-value basis of our tariff and for a domestic base of valuation for the ad valorem rates; likewise for the exclusion of products enjoying the protection of American patents or trade-marks and manufactured abroad; and for other recommendations looking to more effective protection and a stricter administration of our tariffs, labor has shown not only a keen realization of its dependence upon the tariff but also has demonstrated a most thorough understanding of the entire subject.

It has been with intelligent understanding, therefore, that labor has analyzed the working of the protective system during the past 70 years. It has seen that the development of industry has brought two consequences; increased domestic competition in the production of commodities has resulted in cheapening them to the consumer, while the growth and expansion of industry has increased the demand for labor to such an extent that the scale of wages in this country is from two and a half to ten times the wages prevailing in competitive foreign countries.

Labor also keenly realizes that since the World War much industry which is designed to supply United States markets, and operating under the most modern American manufacturing methods, has been established in countries where the lowest production costs prevail because they have the lowest wage scales. It should understand, also, that vastly greater inroads would have been made in the American market were foreign goods better known and trade routes to domestic distributors better developed.

Apparently labor realizes that many of our existing tariff duties are not sufficient to equalize foreign and domestic production costs, and it recognizes, too, that legislation enacted at the instance of labor to restrict immigration is not in itself proving effective in preserving the United States industrial field if capital is to go abroad and employ this excluded labor at wages far below those prevailing here and then send the products of that labor into this country under tariff duties that are too low to afford protection.

FOREIGN-VALUE RATE A MERE GESTURE

I think labor very clearly sees also that in so far as protection is attempted in the form of ad valorem rates, the presumed protection is nothing more than a gesture, so long as we apply those rates to a foreign value and thus leave it to the foreigner virtually to determine the amount of duty he will pay upon landing his products in this market.

The issue, however, is industry's fight also, for in this tariff question the interests of industry and of labor are so absolutely interwoven that what advantages one benefits the other, and what hurts either injures both.

In such a situation the need for a continuation and expansion of the splendid work carried on by the Manufacturers' Club for nearly half a century is more urgent than ever before. Great as its achievements have been in the past, and as widely as its good influences have been extended, its future still is before it and its largest works remain yet to be done.

It is the husbandly side of our constitutional system—the Federal Government—that must, in addition to a hoped-for protective tariff, provide a curb upon those phases of our third economic era which threaten grave injury to our industries and labor alike. So long as I shall continue to be in the Senate, therefore, I assure you that I shall assiduously seek such remedies. And in that, as in all similar work, I certainly shall hope for the aid and cooperation of such groups as this, as well as those representative of every other phase of our political, economic, and social life.

I thank you.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. JONES. Mr. President, the Senator from Utah [Mr. SMOOT], in charge of the bill, advised me on yesterday that he hoped to take up paragraphs 53 and 54, on pages 23 and 24 of the bill, along with the other paragraphs on page 264 relating to oil. I have offered and had printed a substitute for paragraph 53. I have gone into the matter as fully as I have had an opportunity, and I want to say to the Senator in charge of the bill that when the time comes I am simply going to offer an amendment to increase the tariff on the first item in that paragraph, sod, herring, and menhaden. Instead of offering a substitute for paragraph 53 I propose, when the time comes, simply to offer an amendment increasing that one item.

INVESTIGATION OF ACCIDENTS IN CIVIL AIR NAVIGATION

Mr. BINGHAM. Mr. President, on September 30 last I introduced a bill (S. 1947) to provide for the investigation of accidents in civil air navigation, which was referred to the Committee on Commerce, and has not yet been reported to the Senate. From time to time since then there have been serious air

accidents, the causes of which have not been fully explained to the public, if they have been fully determined by the Department of Commerce. It is the practice of the Department of Commerce to investigate all air accidents, but to withhold particulars in regard to them, on the theory that if the department gave out particulars it might damage the companies concerned. Every six months or so the Department of Commerce publishes a summary of the results of their investigations, showing how large a percentage of the accidents was due to the fault of the pilot, how large a percentage was due to the fault of the airplane itself, to engine failure, unfavorable weather conditions, or other causes, but with regard to specific accidents they do not give out any information. The bill which I have introduced provides that the Department of Commerce must make public the results of their investigations in regard to accidents where lives are lost or where serious damage has taken place.

Mr. McKELLAR. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Tennessee?

Mr. BINGHAM. Not at present.

The bill further gives the Secretary of Commerce the power to subpoena witnesses, to require their presence, and to do everything which may be necessary in bringing out the facts, and in the case of serious accidents to require their publication immediately.

Something has happened to delay the consideration of the bill which I have introduced. Possibly the delay has been due to the fact that we have had the tariff bill before us and the measure introduced by me was not thought to be very important. I have hesitated from time to time, Mr. President, to call attention to the delay in securing the added power proposed to be given to the Department of Commerce by the bill, because I do not want to interfere with the pending legislation, but when an accident occurred the other day on the Pacific coast, in which a large number of lives were lost, an accident occurring to an airplane of the Maddux Transportation Co., which had had a marvelous record of carrying passengers between Los Angeles and San Francisco in their planes—two a day in each direction, all fully loaded with passengers, for over two years without a single accident—then a large amount of publicity was given to the one fatal accident, the first they had had. I, myself, felt that it was very unfortunate that the full details could not immediately be given to the press. Still I refrained from saying anything. However, in this morning's Washington Post there is an Associated Press dispatch from Kansas City about an airplane accident in a field near the Fairfax Airport adjacent to Kansas City in which five persons were killed, which contains a paragraph that seems to me to justify interrupting the course of the tariff bill for a few moments and to justify me in urging upon the Commerce Committee the immediate consideration of the bill and reporting it to the Senate in such fashion as the committee may approve of.

The paragraph is as follows:

Immediately after the bodies were removed from the charred wreckage, a dozen pilots and mechanics for the Universal Corporation, equipped with axes, hacksaws, and ropes, were dispatched to the scene by E. L. Sloniger, general manager of the branch here, to destroy all evidence of the accident.

Mr. President, it is easy to understand why the company concerned did not want to have pictures taken, as that would be bad advertising and bad publicity. I assume that the Associated Press dispatch is reasonably correct; it would hardly report such an incident unless it had good basis for it. Assuming it to be correct, Mr. President, we have there an incident which ought not to pass unnoticed. It is possible that some of the aviation companies are blocking the passage of this proposed legislation and do not want to have a full investigation of accidents and the results immediately made public, because they fear its effect on their business; but I believe that the general cause of aviation will not suffer if that is done, and, on the other hand, I believe that passenger air transportation is suffering due to the policy which is followed by some companies.

The Department of Commerce has the power to make investigations of steamship accidents, collisions on the high seas, and it acts in accordance with that power. I have in my hand a quotation from a letter from one of the foremost admiralty lawyers of the country regarding the policy that is followed affecting similar marine disasters. I quote the following from the letter of this admiralty lawyer:

In the case of serious marine accidents involving American ships, the United States local inspectors, who are employees of the Department of Commerce, are charged by law with the duty of making an investigation. We have no jurisdiction over foreign ships in such a matter. The inspectors usually do not bother with minor matters, but in cases of

collisions, strandings, etc., they hold a trial of all the officers of the American ship involved. They have authority to make findings and to suspend or cancel the licenses of the officers.

The hearings are conducted along the lines of a regular trial and are public. The parties are represented by counsel. It is possible to obtain copies of stenographic reports of hearings and of the findings of the board of local inspectors, which consists usually of three members.

He goes on to say:

My own view is that publicity with regard to these matters is better than mystery.

He continues:

I can not see that any great harm has ever happened to anybody by investigations made by the local inspectors. The fact that competent, impartial people made these investigations has resulted in holding off ambitious district attorneys. On the whole, therefore, I think that the fact that we have an investigating body charged by law with the duty of looking into marine accidents and that their hearings have been public has been helpful rather than harmful.

It seems to me, Mr. President, that one of the most interesting things brought out in this letter is that investigations involving marine accidents are conducted by the Department of Commerce, the same department which is authorized by law to investigate airplane crashes at the present time; yet that department is following a wholly different policy regarding publicity in connection with airplane accidents.

I asked the legislative reference service of the Library of Congress to look up the question of the investigation of accidents at sea by the Secretary of Commerce, and I find from them that the jurisdiction of the Secretary of Commerce dates from 1903, when the Department of Commerce and Labor was established (32 Stat. 825). That act transferred to the new department the Steamboat Inspection Service, the Bureau of Navigation, and so forth, from the Treasury Department, and specifically conferred on the Secretary the powers formerly imposed on the Secretary of the Treasury relating to merchant vessels.

Section 4448 of the Revised Statutes requires the licensed officers of vessels to report to the steamboat inspectors all "accidents or occurrences producing serious injury to the vessel, her boilers, or machinery" (amended March 3, 1915; 38 Stat. 893, c. 79, to include injury to equipment), under penalty of revocation of license. By section 4450, Revised Statutes, the local boards of inspectors are required to investigate "all acts of incompetency or misconduct" of licensed officers, with power to compel attendance of witnesses.

While not directly authorizing the investigation of accidents, it comes pretty close to it.

By the act of June 20, 1874 (18 Stat. 128, secs. 10-13) the owner, agent, or master of any vessel of the United States involved in any accident "involving the loss of life, the material loss of property, or any serious injury to any person," or receiving "material damage affecting her seaworthiness or her efficiency," is required to report within five days to the collector of customs, either of the district to which the vessel belonged, or where the accident occurred, stating over his signature the "nature and probable occasion of the casualty." Penalty is imposed for failure to report, which might be remitted by the Secretary of the Treasury, and the Secretary is authorized by section 13 "to ascertain the facts upon all such applications in such manner and under such regulations as he may think proper." An amendment of this section in 1897 (29 Stat. 690) affected only the procedure.

By act of March 4, 1915 (38 Stat. 1184, sec. 15), the provisions of the act of 1874 were extended to barges in tow through the open sea.

Mr. President, it is obvious that it has been the practice of the Government to require and to permit the Department of Commerce to make full investigation of accidents at sea, and they have done so, holding the hearings in public, and giving stenographic copies to whomsoever might be interested. It seems to me that they should be required to do the same thing with regard to air accidents, and I hope very much, Mr. President, that the bill S. 1947, a copy of which I hold in my hand and which I ask to have printed in the RECORD at the conclusion of my remarks, may be considered in the near future by the Committee on Commerce and may be reported with such amendments as the committee may deem proper and fit. I believe when we have, as reported in the morning newspapers, a state of affairs where it is permitted to employees of an air transport company to go out in the field and destroy the evidence of an accident, that we are confronted with a situation requiring action, and that the best way to meet it in the case of accidents in the air is by following the method adopted in the case of accidents at sea, namely, to require the Department of Commerce to investigate immediately and to publish its findings.

The PRESIDENT pro tempore. Without objection, the bill referred to by the Senator from Connecticut will be printed in the RECORD.

The bill (S. 1947) to provide for the investigation of accidents in civil air navigation is as follows:

Be it enacted, etc., That the air commerce act of 1926 be amended by adding at the end thereof two new sections to read as follows:

"Sec. 15. Procedure for investigation of accidents: (a) Whenever the Secretary of Commerce knows or has reason to believe that there has occurred an accident in interstate or foreign air commerce he is authorized, if he deems it in the public interest, to investigate the accident and record and make public a report of the investigation. Whenever the Secretary knows or has reason to believe that the accident has resulted in death or serious personal injury it shall be the duty of the Secretary to investigate the accident and record and make public a report thereon. Any report made by the Secretary upon any accident shall include findings by him with respect to the cause of the accident and the responsibility therefor.

"(b) For the purposes of such investigation the Secretary shall arrange for a public hearing to be held promptly in such place as the Secretary deems most practicable and convenient in view of the place where evidence bearing on the accident is most readily obtainable. He shall give public notice of the time and place of the hearing at least 10 days in advance thereof and in such manner as he shall by regulation prescribe. Any officer or employee of the Department of Commerce designated by the Secretary in writing for the purpose may hold any such hearing and for the purposes thereof administer oaths, examine witnesses, and issue subpoenas for the attendance and testimony of witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths. Witnesses summoned or whose depositions are taken shall receive the same fees and mileage as witnesses in courts of the United States. All evidence taken at the hearing shall be recorded and forwarded to the Secretary. The report upon the investigation shall be made not later than 10 days after the completion of the hearing and shall thereupon be recorded in the Department of Commerce and made public.

"(c) Neither the report upon the investigation nor any part thereof shall be admitted as evidence or used for any purpose in any suit or action for damages growing out of any matter mentioned in the report or investigation.

"Sec. 16. (a) Compulsory testimony: In case of failure to comply with any subpoena issued under section 3 (f) or section 15, or in case of contumacy of any witness in any proceeding under such sections, the Secretary of Commerce may invoke the aid of any United States district court of competent jurisdiction or of any court of competent jurisdiction having the powers of a United States district court. The court may thereupon order the witness to comply with the requirements of the subpoena or to give evidence touching the matter in question. Any failure to obey the order may be punished by the court as a contempt thereof.

"(b) No person shall be excused from attending, testifying, or depositing, or from producing books, papers, documents, or other evidence, as required by such sections 3 (f) or 15, on the ground that the testimony or other evidence may tend to incriminate him or subject him to a penalty or forfeiture, but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction made or thing done as to which he is compelled under oath so to testify, depose, or produce evidence, except that no person shall be exempt from prosecution and punishment for perjury.

"(c) Any notary public or other officer authorized by law of the United States, or any State, Territory, or possession thereof, or of the District of Columbia to take acknowledgment of deeds and any consular officer of the United States, and any officer or employee of the Department of Commerce designated by the Secretary in writing for the purpose, shall be competent to administer oaths for the purposes of section 3 (f) or section 15 and subpoenas for the purposes of such sections may be served personally or sent by registered mail."

Mr. JOHNSON. Mr. President, in answer merely to one of the remarks made by the Senator from Connecticut, permit me to say that the Commerce Committee has taken up the particular measure to which the Senator from Connecticut adverts. Since the reorganization of the committees of the Senate there have been but two meetings of the Commerce Committee. Its regular meeting has been fixed for Thursday. There has been time for but the two meetings. Immediately upon the convening of the Commerce Committee, in conjunction with one hundred and fifty-odd other bills which were pending before that committee, the bill of the Senator from Connecticut was laid before it, and, following the usual practice, the bill was transmitted to the department for a departmental report upon it and comments concerning it. That report was received only within the past few days. Immediately upon its receipt a copy of the report of the department was transmitted to the Senator from Connecticut and a copy of the report was transmitted to the Sen-

ator from Tennessee [Mr. McKellar], who has been very earnestly interested in the proposed legislation.

On Thursday next when the committee again meets the bill will be presented to the committee for such action as it may desire to take. I make this explanation in order that the Senator from Connecticut may know that the bill has received the attention—and the prompt attention—of the Commerce Committee as it is now organized.

Mr. BINGHAM. I thank the Senator from California for his statement.

ADMINISTRATION OF INDIAN AFFAIRS

Mr. JOHNSON. While I am on my feet, so that I may not disturb the orderly processes of the Senator from Utah in presenting the tariff bill, may I ask unanimous consent to have printed in the Record an article found in the Illinois Law Review of January, 1930, by Harold L. Ickes, a very well-known attorney of high standing and a gentleman of the finest repute in the city of Chicago, in answer to a previous article by Dean Wigmore, one of the authorities on evidence in this country, a lawyer whose standing at the bar can not be questioned, who in the course of his article said what is so commonly now given expression to in this country that "what this Nation now needs is a constitutional Mussolini" and who then assailed the Congress of the United States for its activities, or its lack of activities, in respect to Indian legislation. The article by Dean Wigmore is answered very completely by Mr. Ickes. Following the article by Mr. Ickes there is a brief reply by Dean Wigmore. I ask that the matter to which I have referred may be printed in the Record.

The PRESIDENT pro tempore. Without objection, it is so ordered. The matter referred to is as follows:

THE FEDERAL SENATE AND INDIAN AFFAIRS

To the EDITORS OF THE ILLINOIS LAW REVIEW:

Dean John H. Wigmore begins a signed editorial in the May number of the Illinois Law Review by criticizing the United States Senate as a "fifth wheel" in our system of government, switches, after he gets fully underway, to a general attack upon Congress, and ends by declaring that "what this country now needs is a constitutional Mussolini." The alleged facts upon which he bases his conclusions have to do with the administration of the Bureau of Indian Affairs prior to its reorganization by President Hoover and the Senate's investigation of that bureau. Dean Wigmore is highly incensed at the Senate's "mania for investigations." I do not doubt that his criticism of the Senate in this regard will meet with the enthusiastic approval of Mr. Harry F. Sinclair, Col. Robert W. Stewart, Mr. Henry M. Blackmer, Mr. Perry Howard, huckster of Federal appointments in Georgia, to say nothing of Col. Frank L. Smith, of Illinois, Mr. William S. Vare, of Pennsylvania, and not a few others.

I venture to say that no one can feel more bitterly on the subject of senatorial investigations than former Indian Commissioner Burke himself. It was a senatorial investigation that brought out the fact that he was saved from an anticipated indictment by a Federal grand jury in Oklahoma in the summer of 1928 for his maladministration of Indian Affairs only by the personal intervention of powerful Republican politicians who presumably were fearful of the effect on the national campaign.

Even if one were inclined to accept the violent conclusion in the Wigmore editorial he could not do so on the basis of the supposed facts supporting that conclusion. It can not for a moment be credited that the leading authority on the law of evidence in the United States, if he had examined the record himself, would have underwritten such a statement of facts. Time and space will not permit a detailed reply, but an attempt will be made to meet enough of Dean Wigmore's main propositions to demonstrate that he wrote in perfervid ignorance of his subject matter. The only alternative to ignorance on his part would be that he had consciously misrepresented the facts, and no one would care to accuse him of that.

The editorial condemns the Senate in unsparing terms and finds no slightest excuse for its investigation of the Bureau of Indian Affairs. On the other hand, the bureau, according to Dean Wigmore, is without reproach, is a high example of official probity, lies awake at nights trying to contrive some new benefit for the Indian wards intrusted to its care, and all together is so immaculate and impeccable that one wonders why President Hoover found it necessary, as one of his first official acts, to fumigate the Bureau of Indian Affairs by letting out Commissioner Burke and demoting Assistant Commissioner Meritt. If the dean is right, if the Senate has been indulging in libelous and malicious misrepresentations at the expense of these two gentlemen, President Hoover has indeed done them a grievous wrong. But to date the voice of Dean Wigmore is the only one of importance throughout the land seeking to gloss over the gross official misconduct and maladministration of these two men, whose conduct of their department was such that President Hoover apparently felt that he could no longer put up with it.

Let us now examine the Dean's bill of particulars.

The assertion is made that "the Bureau of Indian Affairs had itself publicly pointed out fraudulent practices which are due largely to local State control—in particular to self-seekers in Oklahoma." If this language is intended to mean that the Bureau of Indian Affairs had already pointed out the great mass of fraudulent practices which were brought to light by the Senate investigation, then all that can be said is that it is not an accurate statement of fact. If it is also intended to imply that in a number of States Federal-ward Indians are subject to local State control, then that, too, must be set down as a clear inaccuracy. There are 17 States in the Union with large Indian populations and properties and there is partial State control in only 1, namely, Oklahoma. In that State there is a dual jurisdiction shared with the Indian Bureau which therefore can not escape being held as a particeps criminis in the wrongs done the Indians.

It is stated that the Indian Bureau "itself is without responsibility or blame and is already doing all it can do, and the fault lies with the Congress's failure to give remedial legislation." This is another inaccurate statement. The fact is that Congress has enacted into law many of the proposals made by the Indian Bureau. On the other hand, it has refused to enact into law vicious recommendations made by the bureau contrary to the welfare of the Indians. On some matters Congress has been unable to act intelligently or benignly because of suppression or misrepresentation of facts by the Indian Bureau. Hence the necessity for such investigations as Dean Wigmore complains of.

The statute conferring jurisdiction on the probate courts of Oklahoma over the persons and properties of restricted minor allottees does not give the local court carte blanche to do as it pleases. With respect to the property of such allottees the Comptroller General, in his report on this subject (Senate Doc. 263, 70th Cong., 2d sess.), says that every application by a local guardian for funds for his Indian wards "requires the approval of the Indian Bureau superintendent." This official Government report further sets out that "the records of the agency show * * * the amount of money requested, the reason why needed, etc." In other words, local guardians can not mismanage the property of the Indian wards without the connivance or failure to act on the part of the superintendent appointed by the authority and subject to the control of the Indian Bureau. Dean Wigmore, in his attempt to show the assiduity of the Indian Bureau in the protection of the Indians and their estates, even in spite of the law conferring jurisdiction on the probate courts of Oklahoma above referred to, says: "Yet the Indian Commissioner, alive to the situation, some years ago organized under the bureau a staff of probate attorneys * * * who appear gratuitously in the State courts as attorneys for the Indians * * * a veritable 'legal-aid bureau' in fact."

The Comptroller General in the report just cited says with reference to these probate attorneys:

"The original procedure for field representatives (now probate attorneys) as set forth in the act of 1908 still obtains and should govern the activities of the (Indian Bureau) probate attorneys. It would appear, however, that there is a lack of initiative and aggressiveness in the present activities of these officials. * * * An attempt was formerly made; i. e., in the Franklin K. Lane administration, by the probate attorneys, to keep a check on reports made by the guardians. * * * It is now an exception when the supervising probate attorney can show from his office records the current condition of any case in his district."

Here we have the beautiful picture sketched by Dean Wigmore portraying a paternal public service keenly alive to the needs of the Indians, somewhat spoiled by the official report of the Comptroller General of the United States who in effect says that the bureau's probate attorneys do not do the work they are appointed to do and that former Commissioner Burke, with a warm glow in his heart, assured the world that he had appointed them to do. Since Mr. Burke appointed these probate attorneys, thus making them his agents and representatives, he was responsible for their failure to do their duty, especially since it was called to his attention by the Comptroller General that they were failing in this regard. And apparently the Indian Bureau has not recommended to Congress—at any rate of recent years—that the dual guardianship of Oklahoma Indians be terminated.

So Dean Wigmore, eminent lawyer that he is, finds the Indian Bureau not guilty on the basis of suppressed and misrepresented facts and apparently without even offering to give the critics of the bureau an opportunity to be heard. Having found the Indian Bureau not guilty, he also finds affirmatively that it has been "libeled." Then out of an excess of rhetorical generosity he asks, "Is corroboration needed?" He is, of course, ready to answer his own question and the corroboration he supplies consists of a resolution adopted in 1923 by the board of the American Baptist Home Missionary Society unqualifiedly commending Commissioner Burke for the administration of his office, but does the American Baptist Home Missionary Society qualify as an unprejudiced and trustworthy witness in this particular matter? The damnable Senate, pursuing its despicable way, without the advice and consent of Dean Wigmore, and even despite his extreme disapprobation, proceeded to investigate the Bureau of Indian Affairs and, among other things,

brought to light the following facts with reference to this same American Baptist Home Missionary Society.

A 70-year-old Indian of Oklahoma, illiterate and mentally defective, by the name of Jackson Barnett, without capacity to handle the fortune that came to him as the result of the discovery of oil on his land, yielded to the persuasion of the Commissioner of Indian Affairs and agreed to make over \$550,000 to the American Baptist Home Missionary Society, the disinterested witness just put on the stand by Dean Wigmore with a grandiloquent wave of the hand to answer his own oratorically uttered question, "Is corroboration needed?" Fortunately for Barnett the Federal court, speaking through Judge Knox, restored the fortune sought to be beneficently extracted from him by the Indian Bureau with benefit of clergy. With such a juicy witness fee tendered to it by Commissioner Burke, is it any wonder that the American Baptist Home Missionary Society was able to indorse him in such unqualified terms and to laud him for his persistent efforts "to save the Indians from exploitation by unprincipled men" (probably meaning non-missionary Baptists) and for his "unfailing courage in antagonizing powerful interests (again probably non-missionary Baptists) in their effort to protect and help the wronged and helpless?"

Nor was the instance just cited the only occasion on which this missionary society was willing to thrust its hands up to the elbows into the money of Indians. The report of the Comptroller General, on page 107, reveals how \$485,000 in securities from other ward Indians were transferred to the society between 1920 and 1924, all with the aid and consent of the Indian Commissioner. The Comptroller General's report goes on to point out that "the amount of these bonds was not carried in the balance of the official account of the disbursing agent." Securities questionably appropriated in the name of religion by the Indian Commissioner and no record kept!

I should like Dean Wigmore, as an authority on the law of evidence, to say just how much credence ought to be given to the testimony of the American Baptist Home Missionary Society as a character witness for the personal probity and official integrity of the former Indian Commissioner with whose active aid and consent, as the record shows, it was willing to take from incompetent ward Indians over \$1,000,000.

Having daubed the former Indian Commissioner thickly with white-wash and hoisted him onto a pedestal with the aid of the American Baptist Home Missionary Society, Dean Wigmore next aims his heavy artillery at Congress. He has warmed to his task. He feels that the United States Senate is no longer a foe sufficiently worthy of him, so he takes on both branches of Congress and accuses them of various sins of omission with respect to legislation demanded by the Indian Bureau. Space and time will not permit a discussion of each of the counts in the indictment brought, but an attempt will be made to show that here, as in the earlier part of his editorial, the dean has not allowed himself to be hampered by the facts.

"Pueblo land titles. 'Legislation is necessary to settle satisfactorily controversies affecting Pueblo land titles.' *Nothing done.*" (Italics Dean Wigmore's.) Here we have apparently a willful, if not a shameful, omission of Congress dramatically held up for public disapprobation. What are the facts? The needed legislation with respect to the Pueblo lands was enacted in 1924. A Pueblo lands board was created by an act of Congress at that time, and this board is already three-fourths through with its labor of untangling conflicting claims and settling titles equitably and fairly, not only as between the Indians themselves but also as between the Indians and white settlers.

Again the dean wrings his hands in despair over Congress, exclaiming: "Irrigation lands. 'It is desirable that a lien be created against lands under all the Indian irrigation projects to assure repayment of the expenditures.' *Nothing done.*" (Italics Dean Wigmore's.) What are the facts? Liens to the amount of more than \$41,000,000 have already been created and in excess of \$11,000,000 have been collected from the Indians for alleged benefits resulting from irrigation, bridge, road, and other projects. Liens and drafts against tribal funds for irrigation exclusively, totaling \$31,000,000, have been executed.¹

"Narcotic drugs. 'The peyote drug is undermining the health of the Indians; its peddling should be forbidden. * * * Congress * * * should act.' *Nothing done.*" (Italics Dean Wigmore's.) Apparently Dean Wigmore does not know, or else he ignores the fact, that the committee of one hundred, quoted elsewhere in his editorial with extreme approval, recommended that there should be a technical investigation with respect to peyote before legislation on the subject, and this recommendation was concurred in by Secretary Hubert Work, of the Department of the Interior. The whole matter was put up to the National Research Council and, in the meantime, the Indian Bureau has pressed no legislation on this subject.

There is another subject matter that annoys the dean: "Indian crimes. * * * *Nothing done.*" (Italics Dean Wigmore's.) The fact is that the Indian Bureau drafted and supported an atrocious measure in 1926 designed to make its local superintendents into Mussolinis, so much admired by the dean, with authority to arrest, try, fine, and im-

prison Indians without records being kept, without the Indians having lawyers to represent them, without even a printed code of offenses to guide the Indians. Congress refused to enact this bill into law. Another bill was then introduced, known as the La Follette-Frear bill, which sought to extend the Federal court jurisdiction to the Indians with due process of law in civil and criminal matters. The Indian Bureau opposed and succeeded in blocking this bill.²

"Is not this a shameful record for the Congress?" asks Dean Wigmore. It would be a shameful record if it were a true record. But the shameful part of the whole thing is that a man of Dean Wigmore's professional and personal standing should sponsor such a mass of mis-statements and distorted facts and on such a basis hold Congress up to public contempt while, at the same time, he beatifies a wicked and notoriously rotten administration of the affairs of helpless Indians that ought to bring the blush of shame to the cheek of any self-respecting citizen.³

Dean Wigmore sneeringly refers to the Senate subcommittee's tour to take evidence as "a wasteful junket." He would have it appear that this subcommittee consciously and deliberately set out to defame the Indian Bureau when, if he had known his facts, he would have realized that the actual, unadorned record of the Indian Bureau was all the defamation its worst enemies could wish for it. He actually avers that all the facts adduced by this Senate subcommittee were already contained in the report of the Institute for Government Research. Doubtless the dean believed this statement when he made it, but it simply is not true. The report of the Institute for Government Research, and it is as admirable as Dean Wigmore says it is, does not purport to be exhaustive or inclusive of all the facts needed by Congress as a basis for intelligent legislation on Indian matters. A careful reading of the report of the Senate investigation will disclose that it does not duplicate the report of the institute. Neither does the report of the Comptroller General—not referred to in the editorial at any point—duplicate the institute's report. These reports cover ground which the institute made no pretense to cover.

Since the impeccable Indian Bureau can not be criticized for anything that has gone wrong in the Indian Service, Dean Wigmore characteristically lays at the doors of Congress the blame for starving the Indian Service. Undoubtedly, Congress has not been overgenerous, but it is fair to say that the record shows that the Indian Service has been starved, not so much by Congress, as by the Indian Bureau itself. The attention of Dean Wigmore is called to the recommendation of former Assistant Commissioner Meritt (second in command of the Indian Bureau and, according to many competent observers, until his demotion the chief devil in the service), to the House of Representatives in 1919, that the appropriations for the Indians be reduced by the amount of \$750,000 each year, beginning in 1921.

In discussing the question of congressional appropriations for the Indians, Dean Wigmore does these things:

First. He charges that Congress "Has failed to appropriate the needed sums repeatedly asked for by the Indian Bureau."

Second. He admits that "under the new Budget system the bureaus can submit to Congress only the reduced estimates approved by the Budget Director."

Third. He says that "the Indian Bureau officials are forbidden to mention the original estimates prepared by them for the Budget Director."

It, therefore, follows, as the logical conclusion of the accuser that "the true place of blame—the failure of Congress to grant money enough—is amply proved," since the Indian Bureau, as shown above, is willing to have its appropriations reduced; since, further, the Budget Director reduces the estimates of the Indian Bureau, and since Congress is not given sufficient data so that it can intelligently appropriate funds.

On the authority of an unnamed club woman, Dean Wigmore concludes that "the Indian Bureau was doing its best to provide food, but Congress had not granted money enough." But, according to former Commissioner Burke, there is no doubt about the sufficiency and adequacy of the food furnished to the Indian school children. In this respect, the former commissioner takes violent exception to the report of the Institute for Government Research, quoted, and properly so, with entire approval by Dean Wigmore in his editorial. The club

¹ The writer was present last September at a conference attended by Mr. Charles J. Rhoads, the new Commissioner of Indian Affairs, and leaders of the Pueblo Indians. He heard responsible Indians plead for protection against bootleggers. He heard local employees of the Indian Bureau attempt to gloss over the bootlegging evil. He learned from authoritative sources of flagrant and notorious bootlegging carried on under the very noses of Indian Bureau representatives. Were these bureau officials conniving with the bootleggers or merely winking at their activities?

² It can hardly be doubted that Mr. Rhoads will humanize and vastly improve the efficiency of his department. His appointment and that of Mr. J. Henry Scattergood as assistant commissioner have heartened the friends of the American Indians everywhere. Of the highest standing, ability, and character, Mr. Rhoads will write a new and fairer chapter in the terrible story of our treatment of the Indian. He has already spent much time making a personal investigation of the Indian problem. He gives the impression of sympathy and understanding, of justness and fair dealing.

³ Page 800, hearings of the House Appropriations Committee for 1926; report of the advisory Indian irrigation projects, June, 1928.

woman in question appears to have said in October, 1928, that "the Indian Bureau is making every effort toward providing a quart of milk daily for each school child." On November 19, 1928, Commissioner Burke appeared before the House Appropriations Committee and denounced as a falsehood the finding of the Institute for Government Research that Indian school children were being fed on a purchased ration of 11 cents a day. He assured the committee that the children were well nourished.⁴

One of the principal points of attack on the Indian Bureau has been the lack of sufficient and nutritious food furnished the children in the schools. It would appear, however, that since the school children, according to former Commissioner Burke, are well nourished, the bureau needs no more money for that purpose, and it follows as a logical conclusion that so far as this particular outlay is concerned there is no occasion for increased appropriations from Congress. My own personal belief, based on adequate evidence, is that Indian school children are notoriously undernourished and insufficiently fed. I believe there should be more money supplied by the Government to feed the children, but since Dean Wigmore adopts the views of former Commissioner Burke in every minute detail and since Mr. Burke states that the children are well nourished, then I can not see how Dean Wigmore can properly criticize Congress for failure to appropriate larger sums, especially in view of Mr. Meritt's demand that appropriations be reduced \$750,000 each year. Incidentally, as Dean Wigmore omits to state, Congress apparently disbelieved Mr. Burke's denial of starvation, and though the printed record reveals no acknowledgment of the facts by the Indian Bureau, but only a denial of need, Congress raised the food-purchase grant per child per day by about 4 cents for the fiscal year of 1929 and about 3 cents for the fiscal year of 1930. The new administration is expected to proclaim, instead of conceal, the Indian children's needs and to ask and get a substantial further increase.

So outraged is Dean Wigmore with what he denounces as "the shameful facts about this Senate smoke screen" that, "leaving aside the hypocritical effrontery and mean libel of this senatorial gesture," and dwelling "simply on the Congress's own failure to do its own legislative duty," he expresses the opinion that Congress is a useless body anyhow, and concludes "we don't need it." It may be that Congress has made a record meriting such a characterization, but Dean Wigmore has not proved his case, and I venture to say that no open-minded and careful student of the facts would soberly exonerate the Indian Bureau as it was administered up to the time that President Hoover separated Messrs. Burke and Meritt from their offices.

There has been no more shameful page in our whole history than our treatment of the American Indians. There has been no more blushing record on this shameful page than the administration of the Bureau of Indian Affairs by Messrs. Burke and Meritt. But more shameful still than the starvation, exploitation, and general mistreatment of the Indians under the pre-Hoover régime is the defense of that régime by such an eminent legal scholar as Dean John H. Wigmore. It is not conceivable that he has been actuated by political or partisan motives. It is not to be thought of that he has any personal axe to grind. And yet the significant fact is that this learned lawyer, accustomed to weighing evidence and forming judgments on the basis of all the ascertainable facts, should, regardless of the actual record facts, have rushed to the defense of a Burke and a Meritt, to the embarrassment of President Hoover, who, undoubtedly fully cognizant of the maladministration of Indian affairs, found it necessary, as one of his earliest official acts, to remove this precious pair from office and name as commissioner and assistant commissioner two fine citizens of Philadelphia of known interest in and sympathy with our Indian population.⁵

Dean Wigmore cries out for a "constitutional" Mussolini, whatever that may mean. A certain type of "American" from time to time demands a Mussolini, and in most instances the person voicing the demand probably would not have to think very hard to supply the name of the Mussolini he has in mind. Apparently Dean Wigmore is willing to confess failure of our republican institutions. He must be deeply convinced of that failure to permit himself to give utterance to an expression which would bar him from obtaining American citizenship if he were an alien applying for citizenship and if his views respecting the Government of the United States were known to be what they seem to be. But whether Dean Wigmore could or could not supply the Mussolini of whom he finds the United States to be in such dire need, I have no hesitation in saying that it is in distinctly bad taste for a man of his repute to give utterance to such subversive and disloyal sentiments.

HAROLD L. ICKES.

CHICAGO, ILL., June 25, 1929.

⁴ There are instances in the Southwest of elaborate cow barns and no cows. A large hospital recently was reputed to be the proud possessor of one much worn rubber nipple.

⁵ It is, of course, to be clearly understood that in this reply to Dean Wigmore's editorial there is not even an implied criticism of the administration of Commissioner Rhoads and his assistant commissioner, Mr. Scattergood. As already stated, the writer believes that these two men have the will and will insist upon having the power to uproot the evil thing that has grown up in the Bureau of Indian Affairs under their immediate predecessors in office.

A REPLY

TO THE EDITORS OF THE ILLINOIS LAW REVIEW:

My distinguished critic has in advance made it impossible for me to offer any public answer to him, because of his unfounded imputations upon my motives, my veracity, and my loyalty. In disputes between gentlemen, those qualities must be assumed, or rational discussion is out of the question.

As the issue (like most others) is ultimately one of facts, I merely note, for the benefit of the curious reader, that my editorial thirteen times referred specifically to printed sources available to all; while my critic, covering similar points, refers only three times to such sources for his assertions of fact.

I wonder why it is that this subject seems so often to evoke such hysteria. Already I had received in the mail one or two other violent printed assaults, anonymous, so worded that they found their way to the wastebasket. There seems to be some fierce battle going on, commanded by influences I know nothing about. I happened to take up this cudgel solely for the purpose of illustrating my favorite text, viz, that the United States Senate is largely an inefficient legislative machine. I never met Commissioner Burke in my life; in fact, I did not even know the name of the Indian commissioner until I read the documents in the case. When the Senate committee's activities caught my eye, I did feel a certain personal call to note this instance of the Senate's perversity, possibly because in 1914 (or thereabouts) the lamented Secretary Franklin Lane had offered me the post of Assistant Secretary, in charge of Indian affairs. So I sent to Washington for the last half dozen of the Indian Bureau's annual reports and the bulky report of the Government Research Institute, and on their perusal (and the New York Times news dispatches) I founded my comments.

That is all there is to it, so far as I am concerned.

JOHN H. WIGMORE.

PROPOSED MATERNITY LEGISLATION

Mr. JOHNSON. Mr. President, while I am on the floor permit me to say to the innumerable organizations of ladies, individually and collectively, who are interested in what is designated as the maternity bill that that bill was laid before the Commerce Committee in like fashion, but that the committee was advised by the department having jurisdiction of the matter that it was desirable that action upon the bill should await the report of one of the numerous commissions that have been appointed by the President and that will deal with that subject. Because that suggestion was made by the department having jurisdiction of the matter, the bill was not acted upon at the last session of the committee, but at its next meeting it will be left to the committee to determine whether action shall be taken in advance of the report of this commission, the name of which I can not recall, because I become perplexed when I undertake to recall the names of the innumerable commissions which have been appointed. The committee will then decide whether to proceed without awaiting that report.

INVESTIGATION OF ACCIDENTS IN CIVIL AIR NAVIGATION

Mr. McKELLAR. Mr. President, in reference to the remarks of the Senator from Connecticut [Mr. BINGHAM], I desire to say that in the first place the department does not approve of the bill, as I understand the report on the Senator's bill; but that is neither here nor there.

The law now provides for substantially everything that the Senator's bill provides for. It directs the Secretary of Commerce—not authorizes him, but directs him—to examine into the causes of the accident immediately after it takes place and to make public the causes of accidents. The Senator's quarrel is not with the law, but with the administration of the law.

The Senator understands that some time ago, when there was an unfortunate accident of a similar kind out in New Mexico, and another one in my State, the Senator from New Mexico [Mr. BRATTON] and myself had to introduce a resolution requiring the Secretary of Commerce to make a report on the causes of the accidents.

Mr. NORRIS. Mr. President—

Mr. McKELLAR. In my judgment it will do no good to change the law as long as the Secretary of Commerce undertakes to construe the present mandatory law in any way that he sees fit, and he construes it to mean exactly the opposite of what the law provides.

Mr. NORRIS. Mr. President—

Mr. McKELLAR. I will yield to the Senator from Nebraska in just a moment.

As I remember, when the Senator from New Mexico and myself were trying so earnestly before the Commerce Committee to require the Secretary of Commerce to respond to the mandate of the law, and to make known the causes of the accidents as ascertained by him, the Senator from Connecticut [Mr. BINGHAM] was the earnest foe of that proposal. He sought in every way to prevent the disclosure of the causes of the accidents; and, as I read the bill that he has introduced, instead

of making the causes of accident public it will give the department that much more excuse to cover them up.

I yield now to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I am asking the Senator this question, because I think he has made a study of this subject, and knows more about it than I do. I am trying to get some information. I have tried to get information from the department at different times and have failed.

Is it the contention of the Senator from Tennessee that it is the duty of the department to make public the entire proceedings, under the law?

Mr. McKELLAR. Absolutely. I have not the act before me, but the Senator from New Mexico has the act before him; and I ask him to read it for the benefit of the Senate. It is just as plain as language can possibly make it.

Mr. BRATTON. Mr. President, the act of 1926, in outlining the duties of the Secretary of Commerce respecting commercial aviation, provides as follows:

It shall be the duty of the Secretary of Commerce to foster air commerce in accordance with the provisions of this act, and for such purpose—

(e) To investigate, record, and make public the causes of accidents in civil air navigation in the United States.

The law expressly provides that he shall investigate, record, and make public the causes of accidents.

Mr. NORRIS and Mr. BINGHAM addressed the Chair.

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, following that law, is it the contention of the Senator that it would be the duty of the department to give out the evidence they have taken?

For instance, if I were an interested party, or some of my friends had been killed, usually inquiries are made by people who want to get all the facts. Would it be the duty of the department to give to these people inquiring the evidence that the department took?

Mr. McKELLAR. Under this law it is the duty of the department to make public the causes of the accidents as ascertained by them upon an investigation.

Mr. NORRIS. I can see how they might, however, make a very general reference to the cause, and state, "This is the cause; the cause was this or was that," without giving any of the evidence from which they would draw that conclusion.

Mr. McKELLAR. Yes; but their contention goes far beyond that. We held a hearing before the Interstate Commerce Committee on the occasion of the two resolutions that have been mentioned. The Secretary of Commerce stated, in substance, that he did not want to take the side of either party in the event of any possible investigation; but when he was asked, "Did you not consult the airplane company," he replied, "Yes; I did." "Did you not disclose to them the causes of the accident?" "Yes, sir; I did." "Well, if you disclosed it to the carrying company, why did you not disclose it to the families of those who were killed?" And, of course, he could not answer.

Mr. NORRIS. I confess I do not agree with the conclusion the department has drawn. It seems to me there is only one cure for it, and that cure is publicity, and let everybody have everything that they have—

Mr. McKELLAR. I think so.

Mr. NORRIS. And let a man draw a different conclusion than they draw, if he wants to, and thinks he can do it.

Mr. McKELLAR. I want to say that if the Senator from Connecticut or any other Senator will prepare a bill that will provide for the utmost publicity in the examination of the causes of accidents, the taking down to every word of the testimony, the publication of the testimony, and allowing either side to have it, it will meet my approval.

Mr. NORRIS. Allowing the public to have it.

Mr. McKELLAR. The public; yes.

Mr. NORRIS. Let it be a public record.

Mr. McKELLAR. A public record—that will meet my full approval. I do not think the bill of the Senator provides for that. I do not think it was intended to provide for that. If the Senator will permit it to be amended, it will meet my approval, but not otherwise.

Mr. BINGHAM and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and to whom?

Mr. McKELLAR. I yield to the Senator from Connecticut.

Mr. NORRIS. I was not quite through.

Mr. McKELLAR. I beg the Senator's pardon; I yield further to him. I have been yielding to the Senator.

Mr. NORRIS. Mr. President, I desire to say to the Senator that it seems to me the law, if given a liberal construction, would give complete publicity to everything that happened.

Mr. McKELLAR. Yes.

Mr. NORRIS. I do not understand why it is not given that construction.

Mr. McKELLAR. I do not, either.

BOULDER DAM

Mr. NORRIS. But the Senator must remember that recently it has been decided by the executive and the judicial branches of the Government that both of them have a right to repeal acts of Congress.

Recently the Senator from California [Mr. JOHNSON], after several years of hard work, succeeded in passing the Boulder Dam act. There were a great many of us who followed the Senator from California on a provision in the law which provided that in administering the law the Secretary of the Interior should give preference to municipalities and States. A good many of us who supported the water power act several years ago, under the Wilson administration, did it because—or that was one of the main reasons—because it had a similar provision in it that the municipalities, and so forth, should have a preferential right. That bill never could have passed the Senate if it had not had that provision in it. There would have been sufficient opposition to the bill to defeat it. Neither one of those bills could have become a law without that provision; but in both cases that part of the law has been completely repealed.

Mr. McKELLAR. The same thing is true here.

Mr. NORRIS. As I intend to show on some future occasion, the decision of the Secretary of the Interior, through his legal adviser, has repealed that part of the law; and the law stands now just the same as though that were not there. Under the decision the Secretary of the Interior can completely ignore it and not only not give any preference, but under that decision he can give all of the power to private parties or private corporations without giving any of it to municipalities, even though they have applied and their application is there pending.

Mr. JOHNSON. Mr. President—

Mr. NORRIS. I am going to yield in just a minute; but before I do I want to include as a part of my remarks an article on this subject appearing in the St. Louis Post-Dispatch of January 26, 1930, written under a Washington date line; and I call the attention particularly of the Senator from California to it. I ask that it be printed as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The article is as follows:

[From the St. Louis Post-Dispatch of January 26, 1930]

SENATORS FEAR POWER MONOPOLY AT BOULDER DAM—ALARMED BY REPORT WILBUR PLANS TO GIVE ALL ELECTRICITY GENERATED THERE TO PRIVATE LINKS

WASHINGTON, January 25.—Western Senators are alarmed over a report that Secretary Wilbur contemplates giving private power companies all the electric power to be generated at the Government plant at Boulder Dam. The report gained credence from a series of questions propounded by Wilbur to Solicitor E. C. Finney, the department's legal adviser, in which the Secretary inquired under what circumstances he would be legally justified in awarding the power to private interests.

Although the Boulder Dam act expressly provides that the Secretary in allotting the power shall give preference to municipalities, States, and other public establishments, and although cities and States have made application for the entire output of the projected plant, Wilbur already had announced a tentative proposal to give one-fourth of the power to the Southern California Edison Co. and associated power interests. Subsequent events indicate that he may give them a much larger share.

SAID TO FAVOR PRIVATE COMPANIES

In announcing the tentative plan the Secretary said the Government would make its contract with the city of Los Angeles and the metropolitan water district of southern California, an association of cities for pumping drinking water over the mountains from the Colorado River. Later word came from the department that he would probably execute a joint contract with the city and the Southern California Edison.

The latest information is that the contract will be made with the private companies alone and that the cities and States will be compelled to take their chances on getting power from the private companies. In order to get it, under this arrangement, Los Angeles and the water district would be required to vote bond issues within a given time, and if they failed to do so the private companies would retain all the power. A two-thirds majority is required to vote bonds, and less than a year ago a bond issue for a proposed power development by

Los Angeles was defeated, largely through the opposition of the Southern California Edison Co.

WILBUR'S QUESTIONS

As a matter of fact, Congress expressly provided in the Boulder Dam act that applications by cities, States, or other political entities were not to be denied because of the absence of bonds. Nevertheless, in Wilbur's request for Finney's opinion occurred the following significant questions:

1. If Los Angeles and other municipalities, including the metropolitan water district, can not now execute enforceable contracts meeting reasonable financial requirements of the Secretary, what would be the duty of the Secretary under the provisions of the act that an application is not to be denied because of the necessity for a bond issue and providing for reasonable time for passage of such bond issue?

2. Would he be authorized to make contracts with other bidders, preserving to the preference claimants the right to contract for part of the power if enforceable contracts are tendered within a designated time?

SOLICITOR'S OPINION

To these questions Finney replied:

"This proviso is not designed to tie the hands of the Secretary pending the authorization and marketing of the bond issue so long as the right of preference claimants to contract for power allocated to them is preserved. He can not grant 'any other application in conflict therewith.' As an 'application' is an application for a contract, the prohibition against granting another application is a prohibition against execution of another contract 'in conflict therewith.'"

"But if another applicant offers a contract which preserves in full the right of the preference claimant to contract within a reasonable time, when, as, and if the necessary bond issue is authorized or marketed, the two applications are not in conflict. The necessity for flood control makes it to the interest of all parties that the project be initiated and completed at the earliest possible date."

In other words, Finney held that the preference rights of the States and municipalities would be preserved by providing that they might subsequently make their applications to the private companies for power. Senator HIRAM JOHNSON and Representative PHIL SWING, authors of the law, declare this is a plain attempt to evade it.

Mr. NORRIS. I desire to read one little part of the article:

As a matter of fact, Congress expressly provided in the Boulder Dam act that applications by cities, States, or other political entities were not to be denied because of the absence of bonds. Nevertheless, in Wilbur's request for Finney's opinion occurred the following significant questions:

1. If Los Angeles and other municipalities, including the metropolitan water district, can not now execute enforceable contracts meeting reasonable financial requirements of the Secretary, what would be the duty of the Secretary under the provisions of the act that an application is not to be denied because of the necessity for a bond issue and providing for reasonable time for passage of such bond issue?

That is the legal question, or one of them, submitted here.

Senators will remember that in that act we provided not only for a preference right for cities to get this power, but we provided that time should be given them, so that the cities could issue bonds and take the necessary steps in order to get the preference right. Now he is asking the question what that means. Let us get the answer. We thought it was plain. I have no doubt but that every Senator thought he understood it, and here is the answer.

Before I read the answer, here is some more of the question:

2. Would he be authorized to make contracts with other bidders preserving to the preference claimants the right to contract for part of the power if enforceable contracts are tendered within a designated time?

And this is the answer:

This proviso is not designed to tie the hands of the Secretary pending the authorization and marketing of the bond issue so long as the right of preference claimants to contract for power allocated to them is preserved.

He can not grant "any other application to conflict therewith." As an "application" is an application for a contract, the prohibition against granting another application is a prohibition against execution of another contract "in conflict therewith."

"But if another applicant offers a contract which preserves in full the right of the preference claimant to contract within a reasonable time when, as, and if the necessary bond issue is authorized or marketed, the two applications are not in conflict. The necessity for flood control makes it to the interest of all parties that the project be initiated and completed at the earliest possible date."

That means that in the case of Boulder Dam this private company, to which the Secretary at the beginning announced that he was going to give one-third of the power, and the act, if I construe it rightly, in my judgment would prohibit him from

giving it any of the power if cities and States applied for it—it means that he will be able, under that decision, to give to the private parties out there—the Water Power Trust, if you please—every kilowatt of power that will be generated at Boulder Dam, and all he would have to do would be to provide in the contract with the Power Trust that they in turn should for a reasonable time give to cities and counties and municipalities a preference right to buy of them.

In other words, under that decision the Secretary of the Interior is able to nullify the most important provision in the Boulder Dam act, and give to the Power Trust—because the representative asking for it out there is the representative of the Power Trust—every kilowatt of power that will be generated by the expenditure of public money at Boulder Dam.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Tennessee has the floor, and the Chair desires to suggest that the Senator should yield only for a question.

Mr. JOHNSON. Mr. President, I wish just a minute or two, because I am interested in the subject matter which has been adverted to by the Senator from Nebraska. Will the Senator yield me that much?

Mr. McKELLAR. With the permission of the Chair, I will; but I want to finish what I have to say.

Mr. JOHNSON. I will take but a moment in what I wish to say, and I want it to be in the continuous discussion.

The VICE PRESIDENT. The Senator from Tennessee yields.

Mr. McKELLAR. With the understanding that I shall not be taken off the floor.

Mr. JOHNSON. Mr. President, the Senator from Nebraska is entirely right in one portion of what he has just said. In my opinion it is probable that the Senate and the Congress never would have passed the Boulder Dam bill if it had not provided for preferential rights to political subdivisions, States, and municipalities, as provided for in the Federal water power act. He is quite right in saying that there would have been opposition, unquestionably, to an overthrow or a demolition of what is provided for in the Federal water power act; and as one of those who sponsored the Boulder dam bill, I can say, I think without fear of contradiction from my friend who sits here at my left [Mr. ASHURST], or any other man, that every single, solitary individual interested in the Boulder Dam bill believed when it was passed that it preserved preferential rights that were accorded by the Federal water power act to the people of this country.

Mr. President, let me say this, too, in justification of the department, if it be in justification: What has been referred to by the Senator from Nebraska is an opinion rendered by the Solicitor of the Department of the Interior to the Secretary of the Interior. I am not unaware of what has been transpiring in relation to the matters with which that opinion deals. I followed the matter, of course, with a watchful interest, because of the intensity of my desire to see ultimately the Boulder Dam act reach its final fruition. I have said nothing so far concerning what has transpired, because I have believed the time hardly appropriate; but there will or there may come a time when it will be necessary to speak upon this subject, and I wish it known that from the standpoint of the people of the United States, from the standpoint of those who sponsored the bill, from the standpoint of those who wrote into that bill the Federal water power provision with reference to preferences, we will not be slow, when the time comes and it is appropriate, to express our views concerning the subject, no matter what any department may do or what any solicitor may advise. I want to make that very, very plain.

INVESTIGATION OF ACCIDENTS IN CIVIL AIR NAVIGATION

Mr. BINGHAM. Mr. President, will the Senator yield to me?

Mr. McKELLAR. In just a moment. I have something I want to say about this bill which I think is important.

The present law provides that—

It shall be the duty of the Secretary of Commerce—

To investigate, record, and make public the causes of accidents in civil air navigation in the United States.

Nothing could be more specific, nothing could be more directory, nothing could be more mandatory than that. Yet there is on the part of the present Secretary of Commerce an absolute disregard of that mandatory provision of the law. He declines to make public the causes of all these air accidents.

I want to say that they ought to be made public; the more publicity the better. When it comes to the bill presented by the Senator from Connecticut, instead of providing that they shall be made more public, he would put it within the power of this very official to make an investigation if he desired. I read from the bill:

Whenever the Secretary of Commerce knows or has reason to believe that there has occurred an accident in interstate or foreign commerce he is authorized, if he deems it to the public interest, to investigate.

And so forth.

In other words, what is now mandatory, the Senator from Connecticut seeks to make permissive only. That is not the way to handle this matter. These accidents occur, and the public ought to know what they mean.

Therefore, unless the bill is amended, I say to the Senator from Connecticut, unless he provides for the fullest publicity, the most determined publicity, I shall oppose his measure with all the earnestness of which I am capable.

I yield to the Senator from Connecticut.

Mr. BINGHAM. I do not want the Senator to yield.

Mr. McKELLAR. I do not yield the floor, because there is another matter about which I want to talk a moment.

Mr. BINGHAM. Will the Senator then yield?

Mr. McKELLAR. No; I can not yield to the Senator. I offered to yield and the Senator would not accept it, so I am not yielding.

EXECUTIVE MESSAGES

Sundry messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

NAVAL DISARMAMENT CONFERENCE

Mr. McKELLAR. Mr. President, we are all interested, to some extent at least, not very much, to a painfully small extent, it seems to me, in what is going on in London. I want to call the attention of the Senate and of the country to a statement in the newspapers of yesterday afternoon. I read from the Washington Star. In tremendous headlines in the first column on the first page of that paper this appeared:

Britain cancels two big cruisers; progress is made on tonnage parity.

In the article I read this:

Great Britain made a new gesture of faith in the naval conference success by announcing that construction of her two newest cruisers has been canceled.

Listen to this:

The British announcement coincided with a meeting of the "big five" in Downing Street at which further progress was said to have been made toward a compromise on a tonnage plan designed to settle the perennial argument on this technical phase of naval limitation.

"Technical phase of naval limitation." I read a little further from the same article:

Announcement of cancellation of work on the British cruisers *Surrey* and *Northumberland* was made by the Admiralty without explanation. These are the two ships on which Prime Minister MacDonald suspended work shortly before his visit to the United States last year. The absence of official comment on to-day's announcement was taken as further evidence of Great Britain's faith that some agreement would be reached during the present negotiations.

As I understand that, if it has any meaning it is this, that when Prime Minister MacDonald came over here, as a friendly gesture to the United States he directed that work cease on these two great ships, British cruisers, the *Surrey* and the *Northumberland*. I think the American people thought that work had been begun on them, and that Prime Minister MacDonald had directed that the work stop. Listen to this:

The only available British comment was from the spokesman of the British delegation who said the cancellation indicated a hope that the conference will do something.

In other words, when the Prime Minister of Great Britain came over to the United States he said that work on two of the British cruisers was to be discontinued. When it was resumed we do not know. Now the British Admiralty says that the work on these same two ships is going to be discontinued again, and the purpose of the statement, according to this paper, is to make a friendly gesture to the United States for the second time. Listen to this:

Work on these ships never had actually been started.

Work on these two ships never has been actually started. Yet Prime Minister MacDonald stopped the work on them when he came to visit the United States last fall, and now the British Admiralty, it is said, has stopped work on the ships again, and, at the same time, it appears that work has never been started on either one of them.

Mr. FESS. Mr. President, will the Senator yield?

Mr. McKELLAR. In one moment. The truth is that these 2 ships are not included in Great Britain's 50, which she claims she ought to have, while permitting the United States

to have 23 only. I know that the two members of the United States delegation from this body, Senator ROBINSON of Arkansas and Senator REED, will see to it that they are not misled, and that our delegation is not misled, by any such balderdash and claptrap as that. The idea of stopping work twice on two cruisers as a friendly gesture to the United States once last fall and once now.

In addition to that, if the Senator will excuse me just a moment, we remember that in 1922 Great Britain sank a lot of blue prints, while we sank the greatest naval war vessels that were ever built and placed on the sea.

I yield to the Senator from Ohio.

Mr. FESS. I wonder if I got the wrong impression from those dispatches which we read this morning. I understood that the Prime Minister had suspended work on the ships.

Mr. McKELLAR. That is what these dispatches state, and that is what the dispatches said last fall.

Mr. FESS. I took that to be a temporary matter, that he had suspended work. I read in the dispatches this morning that the construction of the vessels had been canceled, which would be an entirely different thing.

Mr. McKELLAR. Here is the significant statement:

Work on these ships never had actually been started.

Mr. FESS. That is rather startling.

Mr. McKELLAR. What are they doing to us? What are they taking us for? It is a remarkable situation in which we find ourselves, being misled, and our great papers, such as the *Evening Star*, one of the greatest papers in this or any other country, publishing in tremendous headlines in the first column on the first page of the paper, "Britain cancels two big cruisers." She has not canceled anything. They have never been started.

INVESTIGATION OF ACCIDENTS IN CIVIL AVIATION

Mr. BINGHAM. Mr. President, in the first place I must apologize to the Senator from Utah for having taken the Senate up into the air on a joy ride on three different hobbies. I had no intention of doing that. If I had thought that what I said to the Senator from California would bring in the maternity bill, I would not have spoken. I do not know why that bill should be in the Department of Commerce, anyhow, because it has usually gone to the Committee on Education and Labor; but I leave that to one side.

While endeavoring to answer what the Senator from Tennessee had charged me with, that is, attempting to block investigations of accidents in the air, a most extraordinary charge, the Senator from Tennessee yielded to the Senator from Nebraska, who made a speech on the Power Trust and the Boulder Dam, and for close to an hour we have been flooded with remarks on hydraulic power and other extraneous matters of that sort. Apparently the Senate is away up in the air. Then when the Senator from Tennessee again secured the floor and I endeavored to get a moment in which to tell him I was of the same view and to call his attention to the fact that my bill, although not requiring an investigation of every minor accident, was mandatory in regard to every serious accident—his very unfair reference to the bill leading to an entire misconception—I thought he had yielded the floor but it seemed that he desired to make another speech in regard to what Great Britain is doing with blue prints of the British Navy.

So I apologize to the Senator from Utah for having taken the Senate up in the air and I hope very much the Senator from Tennessee will look into the matter a little more fully and not charge me with attempting to block air investigations. As a matter of fact, the bill from which he twice or thrice quoted with such emphatic approval, saying that it provided in a certain clause for everything we had undertaken to have done, was a bill which I introduced, the clause to which he referred I wrote, and I thought it was all that was sufficient; but the law officers of the Department of Commerce held differently and the bill which I have introduced is prepared so as to overcome the legal difficulties involved and to enable us to secure the information we need with regard to serious aviation accidents.

Mr. BRATTON. Mr. President, the matter of administering the act of 1926, in so far as it relates to investigating and making public the causes of accidents in civil air navigation, is of sufficient importance to justify a few moments further in its consideration.

I join with the Senator from Tennessee [Mr. McKELLAR] in his assertion that the law is too plain for dispute or debate. I emphasize what the Senator from Nebraska [Mr. NORRIS] said a few moments ago, that a liberal interpretation of the act would lead to the department making public the specific causes of accidents. I go further than did the Senator from Nebraska and say that a plain, ordinary, and fair interpretation of it makes it mandatory upon the Department of Commerce to investigate

these accidents promptly and give to the public the conclusions of the department respecting the causes, both contributing and proximate, as the case may be, of each accident.

Instead of doing that, the Department of Commerce has adopted a system of investigating accidents from time to time as they occur, but it makes no report until the end of six months or the end of a year. Then it makes a semiannual report or an annual report in which all of the accidents occurring during that period are summarized and given in percentages. For instance, a certain percentage of them is attributed to defective machinery, a certain percentage to carelessness of pilots, and a certain percentage to weather conditions. The causes are massed and given to the public in that fashion, making it impossible for any inquiring mind to examine the report and see in what class or what category any particular accident is placed.

Mr. President, that is not only a fallacious administration but it is an emphatic failure to meet the plain terms of an act of Congress. It was called to the attention of the Secretary of Commerce and the Assistant Secretary having charge of aeronautics in the course of the hearing conducted by the Committee on Commerce upon the resolution of the Senator from Tennessee [Mr. McKellar] and one offered by myself. I think virtually every member of the committee indicated emphatically to the Secretary and his assistant that the law was too plain for dispute, but instead of meeting its plain mandate, the department continues to investigate these accidents and fails to make public the causes, except as I have outlined.

I regret that the Senator from Connecticut [Mr. Bingham] has left the Chamber. I sent for him a few moments ago and asked that he return because I wanted to say in his presence what I had in mind, namely, that after the Secretary of Commerce had failed to make public his findings respecting the unfortunate accident which occurred in my State last fall, I introduced a resolution calling upon the Committee on Interstate Commerce to investigate the causes of that accident, as well as all others, and to make certain other investigations. The Senator from Connecticut opposed even a reference of that resolution to the committee. As a result of his opposition it remained on the table unrefereed for a number of days. A part of its provisions finally went into the resolution proposed by the Senator from Tennessee as an amendment thereto, and the Committee on Commerce disposed of those features of the matter. According to the press the Senator from Connecticut stated that any investigation of that kind was unnecessary, that it was unfounded, and that the resolution was simply a slap at the department, all of which was wholly an imagined idea of the Senator.

Mr. President, commercial aviation is growing faster than any other industry in the country. In my opinion, no one can forecast or foretell the great lengths to which it will reach within the near future. The industry is virtually unregulated so far as safety appliances, rates, schedules, establishment and maintenance of lines, or agreements for carriage of persons and property are concerned. As to all of these matters commercial aviation to-day is virtually unregulated. Two or three bills have been introduced designed to regulate such matters and to put that regulation under the Interstate Commerce Commission. I think it should be there because the air companies are establishing interlocking relationships with railway companies. With that I have no quarrel. It perhaps is the logical thing to do. They are engaged in transporting property and passengers for hire. It may be inevitable that they will become associated more and more from time to time, but think of the anomaly of having railroad companies regulated in every reasonable respect and aviation companies entirely unregulated as to any of these matters.

That is the situation to-day. For instance, the Transcontinental Air Transport Co. is virtually owned by the Pennsylvania Railroad Co. A passenger may buy a ticket from New York to Los Angeles by which he travels through the air in the day and by rail at night. While a passenger upon the train at night he is protected by legislation prescribing the use of safety appliances and conveniences. While he travels during the day aboard an airship he is afforded no such protection. Can it be argued that the railroad companies should be regulated in the interest of the public and that aviation companies should not be so regulated? The situation is untenable in good government. I make the prediction now that public sentiment will soon become sufficiently alive as to bring about regulation of aviation companies in the not far-distant future.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from California?

Mr. BRATTON. I yield.

Mr. SHORTRIDGE. I did not have the pleasure of hearing the early part of the Senator's remarks. Am I to under-

stand the Senator's position to be that control over aviation should be placed with the Interstate Commerce Commission, or that we should set up a new commission?

Mr. BRATTON. With the Interstate Commerce Commission; that is to say, interstate air commerce for hire. Where an aviation company becomes a common carrier transporting persons and property for hire, it seems to me the logical course would be to place it under the Interstate Commerce Commission, because questions of rates, schedules, safety appliances, and certificates of convenience and necessity so far as railroad companies are concerned are now under the jurisdiction of the Interstate Commerce Commission. The two types of transportation are and will be mere parts of a system. It seems to me that due regard for the principles of coordination would indicate and compel the wisdom of putting both aviation and railroad companies under the same governing body in order that the best interests of the public might be served.

Mr. SHORTRIDGE. I have been under the impression that the Senator from Michigan [Mr. Couzens] introduced a bill to create a new commission to have jurisdiction over radio and telephone and the subject matter which the Senator is just now discussing. I am wondering whether the proposal of the Senator from Michigan is in conflict with the views just now expressed by the Senator from New Mexico.

Mr. BRATTON. I do not understand so. I understand that the measure proposed by the Senator from Michigan comprehends telephone, telegraph, and radio companies, but does not include commercial aviation companies or railroad companies or other common carriers of persons and property.

Mr. SHORTRIDGE. Interstate?

Mr. BRATTON. Yes; interstate. Of course, I address myself now to aviation companies engaged in interstate commerce because those companies deal with the public. They are designed to serve the public. If they do not serve the public, they have no business occupying the field. If they occupy the field and consequently serve the public, the public should have some say in regulating them.

At the time the Senator from California addressed his inquiry to me I was about to say that since this general question of regulating interstate commerce by air has been discussed some of the companies have expressed a willingness to cooperate in drafting legislation that will be fair to the public and to themselves. Other companies have associated themselves together in an outright movement to oppose any regulation of any character. A meeting was held in Kansas City some months ago, attended by representatives and executives of many of the outstanding aviation companies throughout the country, at which they went on record by resolution in opposition to any regulation on the part of the Government—a gigantic blunder for men of that type to make.

I do not advocate legislation to burden the air companies; that is not the purpose of it. I do not advocate legislation that will be inimical to their interests, so long as those interests do not counter with the best interests of the public; but good legislation, intended to serve the public, will increase the volume of business done by the air companies and instead of being hurtful to them and their business it will be helpful to them and their business. It will increase confidence in the public mind in travel by air both as affecting persons and property; it will enlarge their volume of business, because people will have increased confidence in companies that are regulated and supervised in the interest of the public. As it is to-day they are not regulated; they are not supervised. They are wholly unregulated and uncontrolled. That condition runs afoul of our whole system as it affects companies dealing with the public. Others are regulated, why not these companies? I have talked with the chairman of the Committee on Interstate Commerce with reference to inquiring into this whole subject matter, particularly considering the bill which I introduced. The committee is so completely engaged in conducting hearings upon the bill introduced by the Senator from Michigan that it is impossible to give this matter attention at present, but I have been told by the chairman of the committee that at the first opportune time he will present it to the committee, and I hope that some progress will be made during this session of Congress. I also hope that the companies themselves will not continue to make the mistake that railroad companies made over a period of three score years or more when they opposed every effort to regulate them and their business. On the contrary, I hope that the companies will come here and assume a reasonable attitude; that they will cooperate with others in drafting legislation which will serve the public well, and at the same time serve the companies adequately. That will promote travel by air.

I think aviation is a science that has come to stay, and that it contains possibilities beyond the concept of any of us. We all desire to promote it, encourage it, and help it along, but,

at the same time, we are unwilling to disregard or do anything that would be hurtful to the welfare of the public.

Mr. President, I felt that while this general subject was before the Senate it might not be inappropriate to submit these observations regarding the importance of discontinuing the present situation by bringing the aviation companies engaged in interstate commerce under some regulatory control.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from California?

Mr. BRATTON. I yield the floor, unless the Senator from California desires to ask me a question.

Mr. SHORTRIDGE. There is one point as to which I should be glad to have the Senator advise me. As I understand, the Senator thinks that control over interstate commerce, as carried on through the air, should be lodged with the Interstate Commerce Commission rather than in a new commission contemplated by the bill introduced by the Senator from Michigan?

Mr. BRATTON. Yes; I do, Mr. President, for two reasons: In the first place, it seems to me that we have almost reached the limit of commissions, bureaus, and departments. The Government is too heavily burdened now with bureaucracy. I shrink from the suggestion of establishing more and more departments and bureaus, except in extreme circumstances.

In the next place, the aviation industry does not stand alone nor occupy a field separate and apart from other carriers. It is connected with railroad and steamship companies, and consequently, it seems to me, that the best arrangement which could be effected would be to put its supervision under the Interstate Commerce Commission. Perhaps that commission then would establish a division within the commission to give special attention to aviation companies.

For those reasons I have looked with disfavor upon the suggestion of creating an entirely separate department to administer commercial aviation. If that were done, such department would control commercial aviation; the Interstate Commerce Commission would control railroad transportation, and the two agencies would interlock; they would have to deal with each other over and over again.

One other thing, Mr. President: It has been suggested that these companies are private carriers and consequently can not be controlled. I entertain not the slightest doubt that a company engaged in transporting persons and property for hire from a point within one State to a point within another State, even though the transportation takes place through the air, is a common carrier. The fact that a railroad company drives its trains along the face of the earth and an aviation company drives its ships through the air, both transporting property and passengers for hire, does not differentiate the two by making one a common carrier and the other a private carrier.

The essential element constituting a common carrier engaged in interstate commerce is that it transports persons and/or property for hire between points in different States. An aviation company doing that is essentially a common carrier and consequently subject to regulation. It borders on the point of absurdity to assert that a company which contracts to carry and actually it carries passengers say from Cleveland, Ohio, to Los Angeles, Calif., is a private carrier. It has in it every element of being a common carrier. Yet some of the companies contend that they are private carriers. The T. A. T. Co., which operates its planes from Columbus, Ohio, to a point in Oklahoma, and then from points in New Mexico to points in California, notably carries the statement upon some of its literature and in some of its advertising matter that it is a private carrier. The company itself should not engage in any such evasion. Whether it is regulated or unregulated, it becomes a common carrier the moment it engages in the business of carrying property and persons for hire between points in different States.

ENFORCEMENT OF PROHIBITION—ADDRESS BY SENATOR HARRIS, OF GEORGIA

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to have printed in the RECORD an address on the enforcement of prohibition delivered by the senior Senator from Georgia [Mr. HARRIS] on January 23, 1930, in the Nation Radio Forum by the Columbia Broadcasting System over a nation-wide hook-up.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The ratification of the eighteenth amendment in 1920 radically changed the laws of our country which had been in effect for more than 130 years, and in the short space of 10 years it could not be expected that prohibition would be anything like 100 per cent effective, especially since Congress has not appropriated sufficient funds to enforce it. So far as I know none of the friends of the measure feels that Secretary Mellon has made a serious attempt to enforce the law.

When I made an effort to provide additional funds to be used for this purpose it was opposed by Secretary Mellon, but he later agreed to a comparatively small increase. It is futile to try to enforce this law with the meager appropriation that has been available in the past when we consider the thousands of miles of boundary lines on the Canadian and Mexican borders to be guarded, as well as the Atlantic, Gulf, and Pacific coasts, to say nothing of enforcement in the 2,500 counties and several thousand cities and towns in the United States. The State authorities will never try to enforce this law except in cooperation with the Federal officials.

I believe that with ample funds the prohibition law could be made as effective as the laws against murder and other crimes.

Prohibition should not be made a partisan measure, and so far as I am concerned, it shall not be. President Wilson had no more devoted admirer and follower than I, but when he vetoed the Volstead bill I voted to override his veto. Democratic Senators who believe in prohibition will support the President in measures to enforce this law as strongly as the members of his own party. I meant no criticism of President Hoover when I introduced the resolution requiring the Crime Commission to send in a preliminary report. I felt that it was important for the Appropriations Committee, of which I am a member, to have their report before considering bills appropriating money for prohibition enforcement. When I learned from reliable sources that the Crime Commission had not intended making a report in time for the meeting of the Senate Appropriations Committee, and that those opposed to this law were anxious for the commission to delay any such report until Congress adjourned, I determined to try to bring the matter to an issue.

Millions of voters, Democrats as well as Republicans, supported Mr. Hoover because they believed he would enforce the eighteenth amendment, and there is little doubt that most of the Members of both houses of Congress owe their election, in part, at least, to their support of this amendment. A bill has recently been introduced which will give us a test vote in the Senate and possibly the House, and those of us who favor prohibition welcome this opportunity to show the country the sentiment of Congress, confident that it will prove to be overwhelmingly in favor of prohibition.

Real progress has been made in this great moral undertaking during the past 10 years, and the friends of temperance have every reason to be gratified. Millions of homes, particularly of laboring men, have been made happy because of this law, as the money that was formerly spent for whisky now goes for education, food, clothing, and other comforts and luxuries of life.

Practically all the leading manufacturers of this country favor prohibition, and many of them claim they could not compete with the world except for the reliable and sober labor they now have. However, among individuals in all walks of life we frequently find disregard and flagrant violations of this law. Some good people seem to forget that in encouraging by their example violations of one law they are developing lack of respect for all laws.

One trouble is the present generation knows little of the degrading influences of the barroom and the next will know nothing of its horrors; another is the exaggeration of everything relating to prohibition by the metropolitan dailies and their representatives here and elsewhere.

I favor transferring this work from the Secretary of the Treasury to the Attorney General, and also favor the other changes in the law recommended by President Hoover, and feel that their enactment and enforcement would help greatly in many ways.

I agree with the Attorney General that the most important measure recommended is the one to give relief to the courts and Federal judges. I introduced a bill in the Seventieth Congress and again in the Seventy-first Congress embodying the principles recommended by the Crime Commission relative to the use of United States commissioners in trying minor cases, provided the accused agrees to waive a jury trial. This bill was prepared for me by Judge Samuel H. Sibley, one of the best men and one of the ablest Federal judges in the United States, and it is under consideration by the Senate Judiciary Committee. Chairman NORRIS has appointed a subcommittee composed of Senators STEIWER, HERBERT, and OVERMAN to study the measure, and has asked the Attorney General for his opinion.

I am particularly glad that the eminent judges and lawyers on the Crime Commission all agree that a measure of this kind would be constitutional.

Judge Sibley, who has probably handled as many prohibition cases as any judge in the United States, gives it as his opinion that the commissioners could give great relief to the district courts which are overwhelmed with what is virtually police-court work. He says it requires only common sense to deal with these cases, and they are not such as to occupy the attention of the Federal judge or take the time of the court. The accused is often poor, comes a long distance with his witnesses, and, due to the crowded condition of the court, is frequently delayed several days or misses a trial altogether. These delays are expensive and unjust to him. On the part of the Government the witnesses are required to appear before the commissioner and then before the district court.

Frequently the cases are continued until the next term, making it necessary to recall the witnesses, so the Government also is put to great and needless expense. It would be better for all concerned if a trial could be held at once before the commissioner, instead of a preliminary hearing, subject to correction and superintendence by the judge, where that was desired by the accused or appeared to be necessary to the judge. Most guilty persons will admit their guilt if tried at once. Often it is after conference with their lawyers and friends, with time perhaps to concoct a defense, that they decide to take a chance of trial in court. Our commissioners, with few exceptions, are capable of dealing with the run of these cases, and every consideration of economy, speed, and substantial justice seems to favor this method. Judge Sibley says the commissioner, if used in minor cases, would be a mere arm of the court, similar to the petition of an auditor or master or referee in bankruptcy on the civil side, and this would be only by consent of the accused or by order of the district judge. He quoted several decisions to show that jury trial is assumed to be waivable—full control of the sentence in all cases will be left to the judge, and only first offenses made triable before the commissioners.

If, with the President and practically two-thirds of both Houses of Congress in favor of prohibition, we fail to do something constructive at this time, the opponents of the law will continue their propaganda so as to make it unpopular. The sentiment of Congress and the country is such that we can give prohibition enforcement a fair trial. It has not been so heretofore. If we fail now, it will materially retard the cause. Furthermore, we encourage the enemies of this law to strive for its repeal when we neglect to appropriate the money necessary to secure loyal and efficient employees.

Most of the Senators and Congressmen opposing this law have voted against appropriations to enforce it. When the Coast Guards or other Government officials happen to kill violators of the law, even in self-defense, in carrying out their duty, protest and criticism go up in Congress and all over the country from those who oppose prohibition, but no word of protest or sympathy was heard when any one of the 206 Government officials was killed by law violators.

REVISION OF THE TARIFF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. SMOOT. Mr. President, in reading the bill over carefully I find on page 24, line 15, that the House has inserted the word "containers." It should be "container." While I have it before me, and in order that it may not be overlooked, I ask unanimous consent that the word "containers" be stricken out and the word "container" inserted.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WAGNER. Mr. President, in view of the fact that we are about to take up a discussion of whether inedible oils shall be taken from the free list and a duty imposed thereon, I ask unanimous consent to have printed in the Record a number of letters of protest which I have received from hospitals situated in my State.

There being no objection, the letters were ordered to lie on the table and to be printed in the Record, as follows:

THE MARY IMOGENE BASSETT HOSPITAL,
Cooperstown, N. Y., October 25, 1929.

Hon. ROBERT WAGNER,

United States Senate, Washington, D. C.

MY DEAR SENATOR: Your interest in hospitals has probably made you familiar with the fact that every new tariff bill of the last two decades has increased the cost of medical and surgical supplies to such an extent that the bills might have been termed as raids upon the funds of these charitable institutions.

The present bill provides for a tax upon the oils and fats which must be imported in the manufacture of soap. A large quantity of soap is required in some form in every hospital because of the fact that the finer varieties are needed for scrubbing the hands of those caring for the sick, for the frequent bathing of patients and new-born babies, and the coarser kinds are used in considerable quantity in the laundries and in the scrupulous care that is required in our housekeeping departments.

I believe that the tax upon these oils and fats has been inserted under the guise of farm relief. This is most unjust, as it is a well-known fact that the oils and fats produced in the United States are practically all used as accessories in cooking.

This raid, therefore, ought to be blocked because under the guise of relief it is really an attack upon those who have to use fats and oils in some way as a food. The writer does not see who will be benefited.

Very truly yours,

FRANK E. BROOKE,
Superintendent.

THE NEW YORK SOCIETY FOR THE RELIEF
OF THE RUPTURED AND CRIPPLED,
New York, November 4, 1929.

Hon. ROBERT F. WAGNER,

United States Senate, Washington, D. C.

MY DEAR SIR: I learn from the American Hospital Association that it is proposed to apply a blanket duty of 45 per cent ad valorem on the entire list of soap-making raw materials.

This hospital, in common with the other hospitals in this city, spends a very large sum annually on soap, and the increase in cost of soap, which is certain to result from the imposition of this duty, will be quite a matter to us. It increases the cost of the care of patients just that much and, in turn, adds to the appeal which we have to make to the public for money to sustain the patients. The public is already greatly strained for charitable gifts, and it seems to us that the Government might let up a little on this soap business and give the consumers a chance to be clean at a reasonable figure.

Believe me, with respect, very sincerely yours,

WM. CHURCH OSBORN,
Acting President.

NIAGARA SANATORIUM,
Lockport, N. Y., November 4, 1929.

Senator WAGNER, of New York,

Washington, D. C.

MY DEAR SENATOR: We have a letter from the American Hospital Association saying the United States Senate is now considering amendments to disregard fats and oils schedules as carried in new tariff bill and apply a blanket duty of 45 per cent ad valorem on entire list of soap-making raw material.

We agree with them that the cost of hospital care is expense enough, and anything that would add to the cost should be opposed.

We respectfully submit this to your consideration.

Very respectfully,

NIAGARA SANATORIUM,
H. F. GAMMONS, Superintendent.

JAMAICA HOSPITAL,
New York, November 6, 1929.

The Hon. ROBERT F. WAGNER,

Senate Office Building, Washington, D. C.

DEAR SIR: We beg to enter protest through you against the proposed increase in the tariff rates on fats and oils that are used in making up materials for toilet and laundry uses.

This increase will work hardship on the hospitals throughout the country by increasing maintenance costs in a very material degree.

Yours very truly,

THE JAMAICA HOSPITAL,
HAYWARD CLEVELAND, Superintendent.

MEMORIAL HOSPITAL,
New York, November 13, 1929.

Hon. ROBERT WAGNER,

United States Senate, Washington, D. C.

SIR: Attention has been called to the fact that it is proposed to materially increase the duty on fats and oils which are brought into this country, presumably to be used in the manufacture of soap.

We know that your judgment in these matters may be for the best; nevertheless, we feel that the present tariff legislation was undertaken purely from the standpoint of the benefit to the farmer. We wonder whether an increase in the duty on fats and oils is for the benefit of the farmer or for the benefit of the soap manufacturers. The Lord knows the cost of living is high enough at the present time. We solicit your interest in trying to keep it down, unless something of greater importance is at stake.

Respectfully yours,

GEO. F. HOLMES, Superintendent.

ST. FRANCIS HOSPITAL,
Poughkeepsie, N. Y., November 5, 1929.

Hon. R. F. WAGNER,

United States Senator, Washington, D. C.

DEAR MR. WAGNER: We strongly protest against any increase in tariff on fats and oils, which would add to the cost of soap or any commodity for hospital use.

Yours very truly,

ST. FRANCIS HOSPITAL,
By SISTER M. CYRIL, Superintendent.

BOARD OF TRUSTEES,
SHRINERS' HOSPITALS FOR CRIPPLED CHILDREN,
Albany, N. Y., November 4, 1929.

Hon. ROBERT F. WAGNER,

United States Senator, Washington, D. C.

MY DEAR SENATOR: We understand that there is now before the United States Senate the consideration of the application of a blanket

duty of 45 per cent ad valorem on the entire list of soap-making raw materials. The increased duty on these fats and oils would mean an important increase in the operation of every hospital for soaps used, both for toilet and laundry purposes. The increased duty would impose unnecessary expenditure of hospital funds, and in no way competes with American agriculture and would not be of benefit to the farmer or stockman.

May we ask you to keep this in mind when considering the matter?
Yours truly,

JAS. R. WATT, *Secretary.*

HIGHLAND HOSPITAL OF ROCHESTER,
Rochester, N. Y., November 2, 1929.

Senator ROBERT F. WAGNER,
Washington, D. C.

DEAR SENATOR: The American Hospital Association, with headquarters in Chicago, have just communicated with us concerning the proposed increase of 45 per cent on the importation of oils and other fats in the making of soap, and as this affects the hospital situation so materially we want to voice our protests and to urge your cooperation in our behalf.

You must readily see that if an automatic increase of 45 per cent is placed upon the purchase of soap and soap materials the same will result in the hospitals not being able to carry out their avowed purpose.

Hospitals are having hard enough times as it is in meeting their expenses and yet keeping their asking charges for their clients as low as is consistent. Increase in the cost of soap and soap materials can not help but make an increased rate in asking charges for their services.

May we ask, therefore, that you exercise your influence as a friend of the hospitals which you have already demonstrated on other occasions?

Very truly yours,

GEO. B. LANDERS, M. D., *Superintendent.*

CITY OF NEW YORK,
DEPARTMENT OF HOSPITALS,
November 1, 1929.

Hon. ROBERT F. WAGNER,

United States Senator, Washington, D. C.

HONORABLE DEAR SIR: We have learned with regret that there is being considered a duty of 45 per cent ad valorem on entire list of soap-making raw materials. The importation of these oils and fats for soap-making purposes in no way competes with American agriculture and would not be of benefit to either the farmer or to the stockman. On the contrary, this increase in duty would work a hardship on all of the hospitals in the United States and the American Hospital Association has gone on record as bitterly opposing to this increase in duty.

It is a well-known fact that hospitals are not money-making propositions and they use a large amount of soap, and anything that is done to increase the overhead in these institutions is working a tremendous hardship on the rank and file of sick people.

Hoping you will feel warranted in opposing this increase which we, with all other hospitals, would greatly appreciate, we are, dear sir, with best respects,

Very truly yours,

WM. C. SCHROEDER, M. D.,
Medical Superintendent.

CITY OF NEW YORK,
DEPARTMENT OF HOSPITALS,
November 1, 1929.

Hon. ROBERT F. WAGNER,

United States Senate, Washington, D. C.

MY DEAR SENATOR: The United States Senate is now considering amendments offered by Senator JONES, of Washington, and Senator THOMAS, of Idaho, to disregard fats and oils schedules as carried in new tariff bill as reported out of the House and later reported by Senate Finance Committee, and apply a blanket duty of 45 per cent ad valorem on entire list of soap-making raw materials.

Hospitals are already burdened by the high cost of articles of staple use in hospital operation. The increased duty on these fats are oils would mean an important increase in expenditure of every hospital for soaps used, both for toilet and laundry purposes. The hospitals of this country spend annually in excess of \$4,000,000 a year for laundry and toilet soaps. The increase on imported oils and fats to 45 per cent would impose an additional 50 per cent on the present cost of soaps which our hospitals now use. This proposed increase in duty on imported oils and fats for soap-making purposes would cause an unwarranted and unnecessary expenditure of hospital funds, which is directly reflected in the increase of the financial burdens of patients admitted to our hospitals. The importation of these oils and fats for soap-making purposes in no way competes with American agriculture and would not be of benefit to either the farmer or to the stockman.

We believe that this legislation is unwise and unjust and that it would unnecessarily burden the hospitals of this country.

Anything you may be able to do to prevent this increase of tariff on fats and oils will be greatly appreciated by the hospital world.

Very truly yours,

WALTER H. CONLEY, M. D.,
Trustee, American Hospital Association.

The VICE PRESIDENT. The Secretary will report the pending amendment.

The LEGISLATIVE CLERK. In title 2, free list, on page 264, paragraph 1733, line 21, the committee proposes to strike out "olive oil and palm-kernel oil rendered" and insert "olive, palm-kernel, rapeseed, sunflower, and sesame oil rendered."

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. SHEPPARD. Mr. President, inasmuch as the pending amendment may be considered as opening the entire question of the advisability of higher rates of duty on imports of vegetable, marine, and animal oils and fats, I take it that a general discussion of the subject will not be out of place at this time.

In 1925 imports of fats and oils exceeded exports by 15,000,000 pounds; in 1927 the excess of imports had increased to 233,000,000 pounds. The excess of imports over exports has continued to the present time. We are evidently relying under present conditions on a growing inrush of imports. We are now on a net import basis.

What does this mean?

It means that manufacturers are given the advantage of world markets to the disadvantage of our agriculture not only by forcing a discrimination against and a curtailment of oil-bearing crops but also by compelling agriculture to purchase the finished products of these free importations in a protected market.

Under these conditions of what benefit would be a duty on fats and oils? Let us remember that the farmers and fishermen of the United States are in competition with the farmers and fishermen of other countries, notably the oriental countries, in the production of the raw materials of fats and oils.

American producers of cottonseed, flaxseed, corn, hogs, beef, soybeans, peanuts, and milk, comprising by far the larger proportion of our more than 6,000,000 farm families are involved. Our fishermen are also concerned.

There is a relationship between the prices of these raw materials and the finished fats and oils.

It is possible by proper tariff legislation to restore almost the entire home market to the producers of these raw materials. Import duties have a distinct price influence on products when they are on an import basis—that is, when more are imported than exported. Many agricultural products in this country, including fat and oil materials, are on an import basis.

So long as a substantial part of fat and oil imports are on the free list, our producers have little prospect of prices sufficient to assure a reasonable return on costs and labor. An adequate duty on fats and oils will mean better price returns for farmers engaged in the production of oil-bearing materials. It will facilitate diversified cropping systems, helping in this way to meet the surplus question, and tend to establish a balanced national production for our farms. It will help our producers to regain the large part of domestic market for fats and oils now supplied from foreign sources.

So interchangeable are the fats and oils from practically every source that we may almost consider them a single finished product. Into this product are merged every year from domestic sources the fats and oils which we produce in such vast quantities. Into this product go likewise the tremendous importations, some on the free list, some carrying duties. From these products we obtain huge amounts of articles for our edible and industrial needs, and also for export to other lands. Let it also be remembered that there are large foreign sources of oil and fat materials not at present being used for imports into this country. These must be defended against in arranging tariff rates as well as those already being utilized for importations.

FATS AND OILS—PARAGRAPHS 53 TO 58

Fats and oils are interchangeable to such an extent that a variation in market price as small as an eighth of a cent per pound may cause the substitution of one of these substances for another. Substitution intensifies competition and affects prices. Foreign fats and oils are a perpetual menace, therefore, to the integrity of domestic prices. Fats and oils of both vegetable and animal origin may practically all be used in soap making, although certain kinds of oils are in practice preferred for certain specialized kinds of soap of limited use.

Hempseed oil, Chinese wood or tung oil, candlenut oil, poppyseed oil, niger-seed oil, sunflower-seed oil, safflower oil, soybean oil, walnut oil, perilla oil, and other oils may all be substituted for linseed oil, which is used in making paints.

Nearly all imports of vegetable, marine, and animal oils compete with four principal groups of domestic products, to wit, dairy products, such as butter; livestock products, such as lard and tallow; vegetable products, such as cottonseed oil, soybean oil, peanut oil, flaxseed oil, castor oil, and hempseed oil; fruit products, such as orange oil, lemon oil, citrate of lime, and citric acid. In addition there are many oil and fat bearing materials of foreign origin which have not yet been used for importation into the United States.

Tremendous quantities of domestic cattle fats (oleo fats), hog fats (lard), cottonseed oil, and peanut oil have already been supplanted by imported coconut oil in the production of oleomargarine. Coconut oil also displaces peanut oil in nut margarines.

Since 1916 domestic cattle fats have been displaced to the extent of 20,000,000 pounds by coconut oil, hog fats to the extent of 8,000,000 pounds, cottonseed oil to the extent of 26,000,000 pounds in the manufacture of margarines in this country. The price of coconut oils has forced down the price of domestic oil to the level of foreign fat and oil material.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I yield.

Mr. COPELAND. Referring to coconut oil, that comes principally from the Philippines, does it not?

Mr. SHEPPARD. It does.

Mr. COPELAND. Is there any sort of tariff that could protect us against the importation of coconut oil?

Mr. SHEPPARD. Coconut oil to the extent of about 10 per cent of total imports of this oil and copra, the raw material of coconut oil, to the extent of about 25 per cent of all copra imports, come from other countries besides the Philippines; these proportions ought to enable a duty to be of some benefit. The chances are that both Philippine and non-Philippine importations would be affected by the duty. The Philippine producer would not sell his article for less than the amount received by the non-Philippine producer who would be subject to the duty.

Mr. COPELAND. Although, as the Senator says, three-fourths of the importation comes from the Philippines?

Mr. SHEPPARD. That is true; and so far as I am personally concerned I am willing to apply the tariff to the Philippines, and then to use the proceeds of the tariff for the benefit of the Philippines—to return the proceeds to the Philippine treasury.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. SHEPPARD. I yield.

Mr. BARKLEY. In view of the fact that three-fourths of our consumption of coconut oil is imported, and that two-thirds of that comes from the Philippine Islands, I am wondering whether a tariff on the other 25 per cent or one-third of the importations would benefit the Philippine Islands or the United States. In other words, if we restrict the amount of coconut oil that is imported from other countries besides the Philippine Islands, will we not create the same situation that exists as to sugar, so that the tariff, while restricting imports from other countries, might encourage greater importations from the Philippines, and in that regard help the Philippines and not help the people in the United States?

Mr. SHEPPARD. Mr. President, I think the final effect would be in that respect to help both the Philippine producer and the American producer.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I yield to the Senator.

Mr. WAGNER. Do I understand the Senator to advocate also putting upon the dutiable list inedible olive oil?

Mr. SHEPPARD. I am in favor of putting upon the dutiable list all kinds of olive oil.

Mr. WAGNER. I desire to call the Senator's attention to the fact that we import over 50,000,000 pounds of inedible olive oil, and we produce in this country but 20,000 pounds; so what justification would there be for imposing a duty, except upon the cold proposition of raising revenue?

Mr. SHEPPARD. All these oils and fats, whether produced here or abroad, are of very much the same chemical composition, and compete very largely with each other; and I can find other forms of oil in the United States that can be used for the same purposes for which this inedible olive is now being used.

Mr. WAGNER. Olive oil is used for the manufacture of certain particular soaps; and no other oil is suitable for that kind of soap, which is universally used in this country. So far as I can see, the only effect of imposing a duty would be, not to prevent the use of olive oil, because it must be used for this character of soap, but to raise the price to the American con-

sumer without any return to any particular American manufacturer.

Mr. SHEPPARD. Mr. President, I differ from the Senator from New York. For almost every use to which oil from other lands is put we can find an article which can be produced or is produced in the United States for the same use, or practically the same use.

Mr. DILL and Mr. WAGNER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Washington?

Mr. SHEPPARD. I have been answering the Senator from New York. I yield further to him.

Mr. WAGNER. I should like to ask whether the purpose is, by the imposition of this duty, to force the American manufacturer to use a different kind of oil for the manufacture of soap?

Mr. SHEPPARD. So far as the fundamental chemical composition of oil is concerned, there is little difference among the various types of animal, marine, and vegetable oils; and there is the crux of the entire problem.

Mr. TYDINGS. Mr. President—

Mr. WAGNER. I mean, is it the purpose of the Senator to compel the substitution of another oil for olive oil in the manufacture of these soaps?

Mr. SHEPPARD. My purpose is to reclaim the American market for the American producer.

Mr. DILL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Washington?

Mr. SHEPPARD. I yield to the Senator from Washington.

Mr. DILL. Do I understand that the Senator does not want to make any exception whatever in the oil schedule?

Mr. SHEPPARD. I think it best not to make an exception, because I think it has been shown by scientific studies and treatises that, as far as fundamental chemical composition is concerned, all oils and fats may be regarded almost as one product.

Mr. DILL. The Senator realizes, I take it, that there is not any possibility of passing an amendment to raise the tariff unless some of these oils are excluded.

Mr. SHEPPARD. I am not speaking of that question at present. I am now dealing with the broader aspects of the situation.

Mr. TYDINGS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Maryland?

Mr. SHEPPARD. I yield to the Senator from Maryland.

Mr. TYDINGS. I hope the Senator will not mind the injection of a slight bit of humor in his very serious argument; but it seems to me his argument that we can produce in the United States oils to take the place of the oils which we import is somewhat like the contest of the apple men who wanted all bananas barred so that people would eat more apples.

Mr. SHEPPARD. I do not think so, because there is a vast difference between apples and bananas. They are not of the same chemical nature.

Mr. TYDINGS. Neither are some of the oils; for while palm oil, olive oil, and so forth, can be replaced by cottonseed oil for some purposes, still chemical analysis shows that the quality and texture of the oils are vastly different.

Mr. SHEPPARD. But by chemical treatment, by applying certain chemical processes, they can each be made to serve many similar purposes.

Mr. TYDINGS. If the Senator will yield just a moment further, may I call to his attention the fact that bananas and apples and oranges and other such things all belong to the fruit family, and these various oils all belong to the oil family; and the principle of excluding one fruit so that another may be used and of excluding one oil so that another may be used seem to me to be exactly the same.

Mr. SHEPPARD. Not at all. The degree of resemblance is so much greater in the case of oils than, in my judgment, the Senator's argument falls to the ground. Fats and oils are themselves but different forms of the same substance. A fat is a solid oil. An oil is a liquid fat.

On account of the interchangeableness of fats and oils and the competition not only of foreign fats and oils as a whole against domestic fats and oils as a whole but also of each foreign fat and oil against each similar domestic fat and oil, also on account of the fact that a single foreign fat or oil may become an extensive competitor with many or all of the home articles, a uniform and sufficient tariff rate on all foreign fats and oils should be imposed if our farmers are to be shielded against the low living standards and cheap labor with which the foreign fats and oils are produced.

For every principal use for which oils and fats are now employed in the United States a material—animal, fish, or vege-

table—is or may be produced within our borders. Effective tariff treatment, therefore, requires a uniform and sufficient tariff rate on foreign fats and oils, both those now imported and those not yet imported. If those not yet imported are left off the dutiable list, importation of such articles will begin and the situation will not have been helped.

In other words, if we do not apply this uniform rate to the basket clause as well as to the articles specifically mentioned in this bill our work will have gone for naught.

It is claimed, and I think justly, that a duty of 45 per cent ad valorem on fats and oils and their raw materials plus certain specific duties would adequately increase and equalize values of American fats and oils, that equivalent duties on the raw materials of finished fats and oils should be based on the oil content of these materials, and that no preferential duties should be permitted.

FISH OILS

Fish oils are interchangeable with animal and vegetable fats and oils to such an extent as to be formidable competitors with them. To assure proper tariff treatment for domestic fats and oils the materials of which come from our farms and waters foreign fish oils should be included on the same terms as all animal and vegetable fats and oils of foreign origin.

Mr. President, in line with these general suggestions I desire now to take up the different kinds of oils mentioned in the pending tariff bill.

HERRING OIL, INCLUDING SARDINE AND PILCHARD OIL

Let us consider herring oil, one of the first oils mentioned in paragraph 53, the first of the group of paragraphs dealing with oils.

Herring oil can be substituted for domestic oils in the manufacture of soap or the treatment of leather and in refined form may be used in the manufacture of lard and butter substitutes. It is produced under primitive conditions of living and labor, and higher duties are needed to shield American farm products against such competition. Herring oil is one of the fish oils of Japan, and in commercial forms may be either sardine oil or herring oil or mixtures of these with fish oils not so well known. These oils come from the Japanese sardine and herring. Norway also sends us herring oil. These oils may be hardened and converted into a firm, almost white, and odorless fat.

Pilchard oil is a similar article, and is produced from the British Columbia pilchard. It may be said that sardine and pilchard oil come mainly from Canada, herring oil mainly from Japan.

Herring, sardine, and pilchard oils were used in the United States in 1927 in the manufacture of soap, paint, leather, and other products, about 85 per cent being devoted to the first-named purpose. In 1926 and 1927 small quantities of these oils were used for food purposes, while in Europe about 20 per cent of the entire consumption was employed for such purposes.

About 182,000,000 pounds of these three oils are produced annually in the world, 21 per cent of this amount in the United States, 23 per cent in Norway, 20 per cent in Japan, 8 per cent in Canada, and 28 per cent in other lands.

SEAL OIL

We come now to seal oil.

Seal oil is a product from the blubber of hair seals. It is used in the United States as an adulterant for cod-liver oil, in producing stearin by the hardening process, in soap making, for currying leather, and as an illuminant for lighthouses. It is produced mainly in Newfoundland, Canada, Greenland, and Norway. About 50,000 pounds are produced annually in the United States. Imports amounted to 629,000 gallons in 1927, 194,000 gallons in 1928. Before 1928 imports had not totaled less than 350,000 gallons for six years. Imports for 1928 were exceptionally low.

Seal oil, like other fish oils, may, on refinement, be used as butter and lard substitutes and thus may compete with our dairy industry.

Think of it, a seal oil competing with our dairy industry, illustrating what I said as to the oneness in such large degree, from the chemical standpoint, of all these oils and fats.

Mr. BARKLEY. Mr. President, I want to ask the Senator right there whether it is possible to make paint in any of its various forms out of cottonseed oil?

Mr. SHEPPARD. I will refer to some other oils from which paint can be made.

Mr. BARKLEY. I am talking about cottonseed oil.

Mr. SHEPPARD. I will get to cottonseed oil in a few minutes. I can not jump from fish to cottonseed just in a second.

Mr. BARKLEY. The Senator was speaking about the oneness of all these oils.

Mr. SHEPPARD. I desire to say to the Senator from Kentucky that cottonseed oil may be used as a slow-drying oil for the cheaper paints when the price is such that it can be used economically for such purpose.

WHALE OIL

Whale oil is next in the bill.

Whale oil comes from the blubber and flesh of all kinds of whales except the sperm whale. It may be used in soap and candle making, in leather tanning, as a lubricant, and as an illuminant. It may be completely deodorized and made into a hardened edible oil. A German authority tells us that the best beef fat may be obtained from the inferior offals of whale oil as well as other oils. It may thus become a basic stuff for the making of the margarines.

Of a world output of 458,000,000 pounds of whale oil in 1927 about 60 per cent was produced from whales caught by Norwegian vessels, 25 per cent by vessels of the British Empire, 5 per cent by Spanish vessels, and 10 per cent by vessels of the United States, Canada, Japan, Argentina, and New Zealand. America's former domination of whale fishing has passed to foreigners, particularly to Norwegians.

Imports of whale oil amounted to more than 65,000,000 pounds in the first 11 months of 1928. Norway produces whale oil at a lower cost than the cost of producing American marine animal oils.

Whale oil is a competitor not only with domestic whale oil but with our vegetable oils, our lard compounds, and our butter substitutes.

We now come to cod oil, which is extracted from raw wool after treatment with whale oil, or some other fish oil. It is also extracted from chamois and like leathers after treatment with cod oil or some other marine oil, followed by fermentation and removed by means of an alkali and an acid.

Statistics on production and export do not seem to be available. Imports for 1927 were about 1,500,000 pounds.

This oil is so closely related to fish oils that unless placed on the duty list it would come in as a substitute for them. Being a by-product of the wool and leather industries, it has an agricultural origin.

MENHADEN OIL

From the fish known as the menhaden or pogy comes menhaden oil. It is used in paint oils, especially in paints for smokestacks and other devices where high temperatures are present. It is used also in the making of soap to the extent of about 40 per cent of its output, for currying leather, tempering steel, and in the oilcloth and linoleum industries. When refined it may be used in lard and butter substitutes. There is a residual cake and meal from the production of this oil which are components of hog feed, poultry feed, and fertilizer. This oil is as a rule a by-product of the processes of fish canning.

It will be seen that this oil competes with practically all forms of animal and vegetable oils in the United States. In 1927 the production of menhaden oil in the United States amounted to 30,627,000 pounds.

Mr. FLETCHER. Mr. President, if the duty is put on menhaden oil, which enters into the preparation of chicken feed as a by-product, would that tend to increase the price of chicken feed? That is an important question, because our poultry raisers do not want to have to pay an increased price for their chicken feed.

Mr. SHEPPARD. I am sure they are willing to pay a fair price.

OTHER FISH OILS

The oils next referred to in the present tariff bill are included in the term "other fish oils."

Among these fish oils may be noted salmon oil, dogfish oil, oils made from the porpoise, the shark, from mackerel and tuna fish.

Imports of oils known in this paragraph as other fish oils have grown from 44,000 gallons in 1922 to more than 6,000,000 gallons in 1927.

On the subject of fish oils in general it may be remarked that the annual world production of competitive marine animal oils (including fish oils) is about 765,000,000 pounds, of which Norway produces 40 per cent; United Kingdom, 20 per cent; United States, 14 per cent; Japan, 6 per cent; all other countries, 20 per cent.

For the 6-year period from 1908 to 1913, inclusive, there was an annual average importation of 10,800,000 pounds of marine animal and fish oils into the United States; for the 6-year period from 1922 to 1927, inclusive, an annual average importation of 56,806,000 pounds. For the latter period whale oil equalled 71 per cent of such importations.

This remarkable increase may be ascribed to the growth of industries using marine-animal and fish oils as well as vegetable fats and oils and to the improved methods of processing fats and oils, especially for soap making, where the marine oils may take the place of soybean oil.

Here we see the whole story of fats and oils and the danger threatening home sources. Practically all foreign fats and oils, from sea or soil, may be so processed as to compete with and displace the products of American farmers, ranchmen, and fishermen. Adequate and uniform duties must be placed not only on these foreign fats and oils, of whatever type, as a general group but on each particular form of fat or oil. If a gap is left anywhere a flood of competing material will pour through to overwhelm our agriculture and to lower its standards and its returns.

WOOL GREASE (DEGRAS) AND ADEPS LANÆ

The fatty substance in raw wool is known as wool grease or degreas. It may be recovered by the application of gasoline or by the centrifugal or acid treatment of scouring liquids. Its principal use is for dressing leather. A less frequent use is as a lubricant.

Adeps lanæ or lanolin are the terms applied to refined wool grease. Wool grease in the refined state is used as a medicine; that is, for salves, ointments, and emulsions. It is also used in cosmetics, printing inks, lubricating compounds, and for waterproofing textiles. Crude wool grease or degreas is used in soap making, wool scouring, wool oil, stearin, and stiff types of lubricating greases.

Large importations of all kinds of wool greases are appearing, indicating that a higher rate is needed to shield this by-product of our domestic wool industry.

SPERM OIL

The large cavity in the head of the sperm whale contains an oil known as sperm oil. It is a liquid wax, while other fish and whale oils are fatty oils. It is valuable as a lubricant for light, swiftly moving machinery. It is used also for illumination and in the leather industry.

Production of sperm oil in the United States, that is, by American whale fishermen has decreased from 2,880,975 pounds in 1922 to 703,500 pounds in 1928. It is claimed that this decline is the result of importations, which increased from 127,000 gallons in 1923 to 442,000 gallons in 1928.

Although this oil is not interchangeable or competitive with other marine animal oils, it competes with domestic vegetable oils in a number of respects and may, through the marvelous processes of modern chemistry, develop other capacities enabling it to displace the home products. It competes directly with and seems gradually to be supplanting domestic sperm oil.

OLIVE OIL

Taking up olive oil, Mr. President, I desire to submit that practically the entire domestic supply of edible olive oil is produced in California. The California output, however, does not exceed 1 per cent of the olive oil consumed in the United States.

In 1928 the home, or California, production of olive oil amounted to 1,438,017 pounds, or 188,964 gallons, 1 gallon of olive oil weighing 7.61 pounds.

In the world production of olive oil Spain leads and Italy follows. From Italy in 1926 and 1927 came 90 per cent of our olive-oil imports weighing less than 40 pounds per package. In the same years Spain supplied 50 per cent and Italy about 30 per cent of olive-oil imports in large containers.

Imports in 1928 in packages weighing less than 40 pounds amounted to 49,264,051 gallons, valued at \$9,114,185; other edible olive oil to 34,127,840 gallons, valued at \$6,233,736.

There are no exports.

It is claimed that an increased duty on olive oil is necessary to safeguard the home industry from the growing volume of imports.

An important fact in this connection is that cottonseed oil is growing in use as an edible oil. Its several varieties under certain trade names and generally designated as salad oil are fulfilling many purposes heretofore met exclusively by olive oil. There is no fundamental difference between olive oil and cottonseed oil. The general public is as satisfied with the latter as with the former. It is accurate to say that almost every gallon of edible olive oil coming into the United States displaces a gallon of domestic oil available for like objects. To insure a larger use of American cottonseed and olive oils which answer practically the same purposes as does the article from abroad an increased duty on foreign olive oil is evidently advisable. It means a wider utilization of a product of American soil.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I yield.

Mr. COPELAND. Does the Senator contend that cottonseed oil could be used successfully in soap making?

Mr. SHEPPARD. I have not come to the question of soap making, but I shall say that the off grades of cottonseed oil and the by-products of cottonseed oil known as foots are excellently adapted to the production of soap.

Mr. COPELAND. The Senator is aware of the fact that there was a very serious effort made in his State during the war to utilize cottonseed oil in the making of soap. A large laundry of Dallas made the effort and found that they could not make an acceptable soap. Will the Senator bear with me if I refer to the incident?

Mr. SHEPPARD. Certainly.

Mr. COPELAND. I have here a letter dated Dallas, Tex., March 20, 1929, reading as follows:

On account of living in a big cotton-growing district and also being cotton planters we have conscientiously tried to use laundry soap made from cottonseed oil. We used this soap before the war, during the war, and since. The soap will break down under high temperature. It is impossible to rinse the clothes and a terribly disagreeable odor remains in the goods. It is impossible to use cottonseed-oil soap with fugitive colors as it will not lather freely in cold water. After linens have been delivered to the homes and stored in closets for several weeks customers have telephoned us complaining of an unbearable odor throughout the house, claiming we had washed their linens with acids and chemicals. It is impossible to promote the modern power laundry business under this condition.

So I take it that honest efforts have been made to substitute cottonseed oil for other products in the making of soap and it was found impossible to succeed in that enterprise.

Mr. HEFLIN. Mr. President, will the Senator permit me to interrupt?

Mr. SHEPPARD. I yield.

Mr. HEFLIN. An experiment made by one man in Texas would not be accepted as the final settlement of the question. The Senator from New York knows that experiments have been made from time to time with various things and the experimenter has given them up as things that could not be accomplished, whereas some other experimenter has come along and made an eminent success thereof. It is clear to my mind that some kind of an extract can be used to destroy the odor of which the Senator speaks, and that any other objection which may be found to the cottonseed oil soap can be eliminated in time. I am satisfied that will be done.

Mr. SHEPPARD. So much scientific progress has been made in the chemical treatment of oils since the time to which the Senator from New York refers that his statement is entirely out of date. I want to quote from an accepted authority on chemistry and oils and fats, Chalmers. He says:

As an instance of the commercial applicability of the hydrogenation process—

The hydrogenation process is a hardening process, a process applied to oils for converting them into a hardened state thus making it possible for the oils in this latter state to be made into soaps and other products. Processes have since been developed for removing the odor from these articles. Here is what Chalmers said:

As an instance of the commercial applicability of the hydrogenation process, we may look for a moment at the soap-making industry. The ideal substance for the soap maker to work with may be said to be tallow. It is a firm substance, and yields a firm soap such as we are accustomed to. Tallow, however, is expensive, and is obtainable only in strictly limited amounts.

The soap maker accordingly falls back upon some of the harder oils, such as coconut oil, palm oil, and palm-kernel oil. These oils are also expensive and are in increasing demand in other industries. If, however, the soap maker tries to replace them with one or other of the abundant naturally liquid oils, such as whale oil, soybean oil, and so on, his product loses greatly in quality, and is apt to be a soft, sticky mass, unusable or unsaleable as soap for many purposes. By hardening these oils before using them in the soap kettle, he obtains a substance practically identical with tallow without affecting the yield from them of that valuable by-product of the soap-making industry, glycerine. The hydrogenation process thus throws open to the soap maker a wide range of oils which otherwise would be next to useless for his purpose.

Mr. COPELAND. Mr. President, will the Senator yield again before he continues? I was very much interested in an article which I read—

Mr. SHEPPARD. I do not want my speech interrupted by the reading of an article.

Mr. COPELAND. All right. I was only going to refer to it.

Mr. SHEPPARD. I ask the Senator to read it, and let it appear at the close of my remarks.

Mr. COPELAND. I shall not read it now. It simply refers to the fact that the resins which are used in the yellow soaps could not be used to make a soap out of cottonseed oil or peanut oil because the price of peanut oil and cottonseed oil is so high that they could not possibly compete with coconut oil and the white soaps which are made from that article, and that likewise it would tend to a situation which would do away with the use of the naval stores and the products which are raised so extensively in the South.

Mr. SHEPPARD. The Senator is referring to refined cottonseed oil. There are other kinds of this oil which can be used commercially and which would not be so expensive.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. SHEPPARD. Certainly.

Mr. HARRIS. The Senator from New York talks about cottonseed oil being so high priced. There is no excuse in the world for that. Cottonseed is at a lower range of prices now than it has been for a very considerable length of time.

HEMPSEED OIL

Mr. SHEPPARD. Mr. President, we come now to hempseed oil. Hempseed production in the United States decreased from 5,416 bushels grown on 563 acres in Kentucky in 1909 to 2,724 bushels in 1919 grown on 257 acres scattered over Kentucky, Pennsylvania, and South Dakota.

Consumption demands exceeded domestic production in 1927 to the extent of 4,255,000 pounds of seed imported in 1927. Imports have doubled within four years, while domestic production continues to lag.

In 1926, the latest year for which import figures are given in the Summary of Tariff Information, hempseed oil to the extent of 152,080 gallons of oil, valued at \$11,366, was imported.

Hempseed oil is used as a drying oil in the paint industry as a substitute for linseed oil, although inferior to the latter, and in the production of certain soft soaps.

Considering the undoubted possibilities of large hempseed production in this country and the excess of a consumption demand over the domestic output, it is evident that domestic development would be stimulated by a sufficient duty.

CASTOR OIL

The next oil mentioned in paragraph 54 of the bill is castor oil.

The present duty on castor oil is 3 cents per pound. No change has been made in the pending bill either by the House or the Senate Finance Committee.

A duty of 5 cents per pound but not less than 45 per cent ad valorem is proposed.

The production of castor beans in the United States has almost ceased, and American manufacture of castor oil is almost entirely dependent on imported castor beans.

Castor-oil importation amounted in 1928 to about a million gallons.

Castor-oil production from imported beans in this country amounted in 1927 to about 49,000,000 pounds.

Castor oil is used as a medicine, in transparent soaps, artificial leather, in dressing leather, and in turkey red oil and alizarin assistants for the textile trade.

A higher duty is needed to stimulate the revival of castor-bean growth in the United States, and to provide the farm with another channel for diversity of production.

RAPESEED OIL

Rapeseed oil is now to be considered.

The principal sources of rapeseed are China, India, and Japan. Small quantities are produced in European countries.

We have no figures for the United States production of rapeseed oil since 1926. In that year we produced 173,300 pounds from imported seed. There is no domestic production of the seed.

In 1928 we imported 2,250,000 gallons of rapeseed oil, or about fifteen and a half million pounds, valued at \$1,504,321.

Rapeseed oil has the qualities which make it similar to other vegetable oils which compete with our dairy and vegetable products. It should have the same tariff rate as is placed on other oils from abroad, with which it is interchangeable, in order to preserve a uniform effect for the tariff on any and all foreign oils.

Rapeseed oil has long been considered and used as an edible oil in India. During the World War it was an element in margarine and fat compounds in a number of European countries. It is also employed as a lubricant, in soap making, in preparing steel plates, as an illuminant in churches, while the cake residue resulting from its manufacture is used as a feed for animals.

POPPY-SEED OIL

Taking up the subject of poppy-seed oil, it may be said that this oil is a by-product of the production of opium from the

opium-bearing poppy plant. Two grades are on the market. The higher grade is used as a salad oil and in the best type of paint for artists. The lower grade is used in potash soaps, and in combination with olive oil to soften castile soap.

The poppy plant is cultivated in Asia Minor, Persia, India, Egypt, southern Russia and northern France and the seed are crushed principally in France and Germany. There are no available statistics of poppy-seed oil production in this country.

This oil competes with other vegetable oils interchangeable in making salad oil, soaps, paints, and varnishes. To prevent, or at least to reduce, this competition with home-produced oils a higher duty on poppy-seed oil would be justified.

In the interest of humanity there ought to be a prohibitive duty or an embargo on this article. Its importation and sale here encourage the cultivation of the opium plant—a menace to mankind. Its products should not be permitted to compete with American-farm articles which bring benefits to mankind.

Mr. COPELAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I yield.

Mr. COPELAND. I commend the Senator for what he has said about the poppy. If I had my way, I would have the hot sands of the desert flow across every poppy field, destroy the plant and wipe it out of existence. The harm it has done has far more than offset any possible good from it, and I share fully the sentiments of the Senator from Texas regarding the plant.

Mr. SHEPPARD. I thank the Senator for his suggestion. It is an illustration of his humanitarian spirit.

LINSEED OIL

Coming to linseed oil, Mr. President, I desire to say that linseed oil is used in making paints, varnishes, linoleum, felt-base floor covering, oilcloth, patent and imitation leather, painter's ink, foundry oils, putty, and soft soap. About 65 per cent of the domestic consumption is for paints and varnishes, about 20 per cent for linoleum, and felt-base floor coverings. What is known as boiled linseed oil is made by adding lead, or manganese oxides, resins, oleates, and linoleates of various metals and dissolving the combination by heat.

Flaxseed is the source of the linseed oil produced in this country—flaxseed grown mainly in Minnesota, North Dakota, South Dakota, Montana, Argentina, and Canada. About 50 per cent of domestic and 50 per cent of foreign flaxseed are used in making linseed oil in the United States, Argentina being the principal competing country. One bushel of flaxseed yields 2½ gallons of linseed oil.

Linseed cake, a valuable cattle feed, is a by-product of the manufacture of linseed oil.

About 12 American companies operate 32 linseed-oil mills, which are located principally in Minneapolis, the city of New York, and Buffalo. New York mills crush flaxseed mainly from Argentina. Western mills use the home-grown product, while Buffalo mills use both imported and domestic flaxseed.

The principal foreign countries producing linseed oil are the United Kingdom, the Netherlands, and Germany.

Preliminary figures for 1928 indicate a domestic production of linseed oil exceeding 100,000,000 gallons. Imports of linseed oil are small, amounting to less than 1 per cent of the home output in 1927. In 1928 they were still smaller, almost touching the vanishing point.

Exports of linseed oil are comparatively negligible also. They go chiefly to Canada, Cuba, Mexico, and South America.

Exports of linseed cake as a cattle feed are of more importance, not only because of the foreign demand for the cake produced on the Atlantic seaboard but on account of the drawback in duty on the imported seed from which this cake is made in the eastern mills.

COCONUT OIL

Proceeding now to paragraph 55 of the tariff bill, I desire to take up the question of coconut oil.

Coconut oil is obtained from copra, the dried meat of the coconut. At ordinary temperatures it is a solid fat, but under a slightly higher temperature it becomes a liquid oil. Soap making requires about 60 per cent of the consumption of coconut oil in the United States. Then come the oleomargarine and lard substitute industries in the proportion of consumption. The next uses in degree of importance are in confectionaries and baking, in emulsions, cosmetics, and perfumes.

Coconut oil produced in the United States comes from copra imported mainly from the Philippines, and to some extent from British Malaya and from East Indian and South Pacific islands.

There was made in the United States in 1927 crude coconut oil to the extent of 281,654,000 pounds; refined coconut oil to the extent of 243,093,000 pounds; a total of 524,747,000 pounds. Preliminary figures indicate a larger output from American establishments in 1928.

Coconut-oil imports subject to tariff duty have fallen almost to the point of disappearance in the last few years, while duty-free imports from the Philippines have constantly grown. About 60,000 pounds of the former entered in 1928, and in the same year more than 290,000,000 gallons of the latter came in.

In 1928 we exported 24,652,602 pounds of coconut oil to Canada, Mexico, and Cuba.

About half of the fat and oil consumption in the United States is supplied at the present time by coconut oil made from tariff-free Philippine copra. Its copra cake, the residue from the expression of oil, is used as a cattle feed. Coconut oil is especially desired on account of certain characteristics in the making of soap and oleomargarine.

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Iowa?

Mr. SHEPPARD. I yield.

Mr. BROOKHART. Is not that the difficult problem in fixing a rate on coconut oil? If it comes in free from the Philippines, a tariff rate amounts to little or nothing.

Mr. SHEPPARD. About 25 per cent of our imports come from other countries. I have already referred to the difficulty which the Senator has mentioned, and I agree with him that the Philippine situation introduces a complicating element into the consideration of this matter.

Mr. BROOKHART. It makes it considerably like the situation as to sugar, does it not?

Mr. SHEPPARD. Very much like it.

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I think the Senator from Utah [Mr. SMOOT] rose before the Senator from New York did.

Mr. SMOOT. I do not care to interrupt at this time.

Mr. SHEPPARD. I yield, then, to the Senator from New York.

Mr. COPELAND. I simply desire to say that I had another idea about the quantity of coconut oil that we get from the Philippines, including oil that we get from the copra imported from the Philippines. As I understand, more than 99 per cent of the coconut oil that we get as oil comes from the Philippines.

Mr. SHEPPARD. No, no; it comes from copra which we import here and make into oil in this country.

Mr. COPELAND. Just one moment, if the Senator will bear with me. The coconut oil that comes in as oil comes from the Philippines, and three-fourths of the copra that we get comes from the Philippines; but at least seven-eighths of the total result of coconut oil, both the oil imported as such and that made from the copra, comes from the Philippines.

Mr. SMOOT. Ninety-nine per cent of it, Mr. President; not seven-eighths.

Mr. SHEPPARD. I am free to say that the Philippine situation introduces quite a puzzling element into this question.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Tennessee?

Mr. SHEPPARD. I do.

Mr. McKELLAR. Would it not be better to give the Philippines their independence, as we are morally bound to do and have so often promised to do, and then fix such tariff as we please upon oils and fats coming from that country?

Mr. SHEPPARD. I am in thorough sympathy with that suggestion.

Mr. BROUSSARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Louisiana?

Mr. SHEPPARD. I do.

Mr. BROUSSARD. The difficulty with the suggestion made by the Senator from Tennessee is that, of course, we can not turn the Philippines loose overnight; and that brings up the question of doing justice to the citizens of this country while this Government is solving the Philippine problem.

The thought has prevailed among many people, however, and I am one of those who believe that we ought to impose a duty on them pending the time when we give them their independence, because, as the Senator from Texas pointed out, we have seen the great increase in their importations into this country in the last three years. In the last three years they have increased their importations of coconut oil up to a point where they import into this country 100 per cent more coconut oil than they did a few years ago. We can not meet that situation by waiting two or three or four or five years to grant independence to the Philippines. We ought to grant it immediately, and meanwhile protect our citizens by a tariff.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Tennessee?

Mr. SHEPPARD. I yield.

Mr. McKELLAR. I think there is a great deal in what the Senator from Louisiana says. Of course, it will take us several years, but if we do not start it will never be done. I have some doubts about whether we can legally put a tariff on articles coming from the Philippines to this country; and the fact that it comes in free now makes it a very doubtful question whether any tariff that we put on oils would be effective in helping those who produce oils in this country.

Of course, the cottonseed situation in our country is a matter of the greatest importance to those of us who live in a cotton country, and one that we should like to remedy; but what I should like to have the Senator from Texas show me is whether or not an increased duty on oil would be effective under the conditions that exist. When most of our oil—I believe it has been suggested 99 per cent of it—comes from the Philippines, and certainly a very large percentage of it comes from the Philippines, I do not know that any tariff we could impose would be effective.

Mr. BROUSSARD. Mr. President, will the Senator permit me to interrupt him again? I do not want to take much of his time; but I desire to direct my remarks to the first part of the observations of the Senator from Tennessee.

The VICE PRESIDENT. Does the Senator from Texas yield for that purpose?

Mr. SHEPPARD. Let me make a suggestion before the Senator proceeds.

The Philippine situation, bad as it is from the standpoint of the present discussion, ought not to prevent us from doing everything we can to help our own people by way of tariff legislation and otherwise. Let us raise a tariff dam against the oils and fats of the world, and if by that action the Philippine gap in the dam becomes all the more conspicuous perhaps a solution of the Philippine problem will be hastened. As I have heretofore indicated, we may obtain some benefit from a tariff even under existing conditions.

Mr. McKELLAR. According to the Senator's argument, about 25 per cent of the total oils come from other countries.

Mr. SHEPPARD. No; 25 per cent of coconut oil.

Mr. McKELLAR. And with about 25 per cent of the coconut oil coming from other countries, if we put a duty on those oils, notwithstanding the fact that three-fourths of them come from the Philippines, the Senator's position is that it would still have a beneficial effect upon the producers of oil in this country?

Mr. SHEPPARD. That is a correct statement.

I now yield to the Senator from Louisiana.

Mr. BROUSSARD. Mr. President, may I say to the Senator from Tennessee that we have had limitations on the Philippines in the tariff acts ever since we acquired them. We have had limitations on their sugar. We are now taxing their tobacco which competes with the tobacco grown in the Senator's State. That is refunded to them under section 301. There is no question but that we have a right to impose a tax upon them. I do not think we ought to keep the money, but we might remit it to their treasury for their own public uses. I do not think there is any doubt about our power to do it, because until 1913 we limited the importation of their sugar here to 300,000 tons annually.

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I do.

Mr. COPELAND. The suggestion that the Senator has just made is undoubtedly correct, that if a tariff were placed upon copra it might bring to us larger quantities from the Philippines. With the present production of copra in the Philippines, however, we now get about 80 per cent of it; so, with our establishments here for the extraction of oil from copra, if we imposed an undue burden upon it, it perhaps would give us a shortage of that particular oil. But, all in all, when we consider the oil we get and the oil from the copra, practically all of it now comes, directly or indirectly, from the Philippines.

Mr. SHEPPARD. Mr. President, I think it but fair that copra from the Philippines should pay the same duty that is levied on oil-bearing materials from other countries. It is produced in the Philippines on so cheap and low a basis as to place it beyond the competition of American farmers the uses of whose dairy products and whose cottonseed are being displaced by it on so colossal a scale.

When we took over the Philippines we did not obligate ourselves to give them prosperity at the expense of our own farmers.

I favor immediate independence for the Philippines, but I do not favor the opening of our markets to such unqualified invasion by Philippine products as is now the case.

I recognize our obligations to promote the welfare of the Philippines in every consistent way, but I do not acknowledge any pledge to sacrifice the well-being of our agriculture to their economic advancement.

The Philippine Islands bear a fundamental relation to the question of a tariff on fats and oils. So tremendous are the possibilities of coconut cultivation in the Philippines that it is already predicted by students of the situation that by 1935 its production of coconut oil may exceed the production of cottonseed oil in the United States.

About 23 years ago the first important copra-crushing establishment in the Philippines was set up. During the World War when there was an especial necessity for the carriage of products in the smallest possible form, these establishments sprang up in the Philippines more rapidly than ever.

The Fordney-McCumber Tariff Act of 1922 imposed a duty of 2 cents a pound on imports of coconut oil from every foreign country except the Philippine Islands which were exempted from this duty. This meant a preference which brought about active competition between the Philippines and the United States, a condition existing between no other coproducing dependency in the world and the controlling importing country. As a result of this situation the coconut-oil industry has had a 20 per cent increase since 1923.

After we took over the Philippines we applied the tariff rates to Philippine imports which we were then applying to all other foreign countries, the rates of the Dingley Tariff Act of 1897.

The United States Supreme Court in the De Lima case and in the 14 diamond rings case decided that the Philippines were not foreign territory within the terms of the Dingley Tariff Act. Thereafter Philippine imports were admitted without duty until the act of 1902 levied duties on such imports at the rate of 75 per cent of the duties on imports from other foreign countries.

The tariff act of 1909, the Payne-Aldrich law, established free trade between the Philippines and the United States, except as to rice, annual importations of 150,000,000 cigars, 300,000 pounds of wrapper and filler tobacco mixed, 1,000,000 pounds of fiber tobacco in addition, and of 300,000 tons of sugar. This act also provided that no product would be considered a product of the Philippines if it consisted of more than 20 per cent of material not grown on the islands.

The Underwood-Simmons Act took off the limitations as to quantities importable but kept the same administrative provisions and rates already in effect in reference to the Philippines. The emergency tariff act of 1921 and the Fordney-McCumber Tariff Act of 1922 established the 2 per cent preference for Philippine coconut products already described, giving the Philippines a virtual monopoly of these articles, so far as trade with the United States was and is concerned.

It has been suggested that in the interest of American agriculture full tariff rates should be applied to copra and coconut oil from the Philippines. This would mean an additional tariff revenue of \$16,000,000 in the next fiscal year.

I favor the application of duties on oils and fats, and the raw materials of such oils and fats, to the Philippines with the provision that the proceeds of such duties shall be remitted to the Philippine treasury. I believe that to be a fair solution of the matter as it relates to our present connection with the Philippines. Surely we are not expected in helping the Philippines on the way to political independence to sacrifice the economic independence and well-being of our own people.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. COPELAND. I have been very much interested in what the Senator has said about the Philippines. Of course, as he knows, I feel that we have no constitutional right to alienate our sovereignty; therefore we can not, from my standpoint, think of treating the Philippines in any different manner from the way we treat our other possessions, except possibly as regards the tariff. But if we should do exactly what the Senator has said about the rate on these products from the Philippines, would not that mean that, to go the whole route with the Senator, if he raises the cost of all the oils going into yellow soaps, and then puts such a tax on coconut oil as to materially increase the cost of the white soap, we would be in the position of placing a tremendous burden of cost upon every family in the United States, because then all soaps would necessarily be materially increased in cost to the consumer?

Mr. SHEPPARD. I do not share that opinion. I think that the resulting increase in production in this country would bring about a production of enough soap-making material to furnish

the American market without any oppressive increase in price. The main object of this increased duty is to reclaim that part of the American market which is now controlled by foreigners.

COTTONSEED OIL

Our next topic in this discussion is cottonseed oil.

Cottonseed oil has the most widespread use of all the vegetable oils. It forms the bulk of the lard substitutes, and is used in making oleomargarine, soap, washing powder, glycerin, and for a number of technical purposes.

In 1927 the output of cottonseed oil amounted to 1,806,000,000 pounds, of which 1,592,000,000 pounds were refined.

To state these figures in terms of gallons keep in mind that 7½ pounds of oil equal 1 gallon.

Great Britain and China are the most important foreign producers of cottonseed oil, Germany, France, and the Netherlands following.

In 1928 we imported 530 pounds of cottonseed oil, at a value of \$71. But remember at this point that when all the animal, fish, and vegetable oils imported are considered there is an excess of importation over exportation and that nearly all these oils are interchangeable to so substantial a degree that they must be looked upon as a single mass of the same ingredients.

The peak of exportation for crude and refined cottonseed oil was reached in 1915, the export amounting to 318,000,000 pounds. There was a pronounced decrease in 1922, due to the crisis in agriculture then in full swing.

Exports of crude cottonseed oil have gone in recent years chiefly to Canada and Mexico, of refined oil mainly to Cuba, Argentina, Norway, and Mexico.

Crude cottonseed oil exports amounted to 41,126,482 pounds, valued at \$3,455,567 in 1928; refined to 10,575,764 pounds, valued at \$1,201,158.

The United States Tariff Commission is investigating the cost of producing cottonseed oil, having issued a preliminary statement in April, 1926. This statement was to the effect that the cost of producing crude cottonseed oil in the United States in 1924 was 9.5 cents per pound; in Great Britain, 7.8 cents per pound; in China, 5.6 cents. It is imperative that we consider the lowest-cost country in fixing tariff rates on cottonseed oil.

Cottonseed oil is a classic example of the saving of waste and of the development of by-products of the farm.

It is a by-product of the cotton plant, which within the memory of the living was discarded as useless and sometimes as dangerous to animals if used as feed.

This giant by-product has by-products of its own, notably linters, tiny fibers left on the seed after separation from the larger fibers. Linters are used in making mattresses, paper, gun cotton, lacquer, and rayon. Then comes the residual cake and hulls, valuable as cattle feed.

If the same tariff rate is not imposed on cottonseed oil which other oils of this type receive, imports of cottonseed oil, now negligible, will crowd into the breach and neutralize the duties on the other oils. A single opening in a dam will let the flood tide through.

American soap makers oppose increased duties on vegetable oils. They say that there is no substitute for coconut oil and palm-kernel oil in the manufacture of white soaps. They contend that a duty on these oils would not enhance the value or price of any farm article in the United States. And yet the brief they filed with the Ways and Means Committee of the House (hearings, p. 655) shows a consumption for soap-making purposes of 20,000,000 pounds of cottonseed oil in the United States. It shows further that the following domestic fats are used in producing soap in this Nation: Corn oil, 5,000,000 pounds.

I know the Senator from Iowa will be very much interested in that fact.

Mr. BROOKHART. Mr. President, can it be used as a substitute for palm-kernel oil?

Mr. SHEPPARD. It can be.

Mr. BROOKHART. It is the claim of the soap makers that it can not be, that there is no substitute for palm kernels, and that is what I was most anxious to hear about.

Mr. SHEPPARD. I am discussing that point at present.

Mr. BROOKHART. The Senator thinks that cottonseed oil and corn oil are adequate substitutes for palm-kernel oil?

Mr. SHEPPARD. I am giving the Senator the facts as stated in the brief of the soap makers, to the effect that 5,000,000 pounds of corn oil are already being used in making soap.

Mr. BROOKHART. For the same purpose and by the same process as the palm-kernel oil is being used?

Mr. SHEPPARD. For the same purpose, yes; but whether by the same process I do not know.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. COPELAND. What the Senator has said about corn oil is a very important subject, as I view it, because it opens up the question of the use of corn sugar. I do not mean the use the Senator from Texas might think of—

Mr. SHEPPARD. To which I am opposed, the Senator means.

Mr. COPELAND. To which the Senator from Texas is opposed. But there is a legitimate use which can be made of corn sugar, in the preservation of fruits and vegetables for canning purposes. Where sweetness is not a consideration, but where preservation is, corn sugar is just exactly as valuable as is cane sugar, but it can not enter into that field because the Agricultural Department insists upon the cans in which the corn sugar is included being labeled, and therefore it is looked upon by the public as an adulteration, and people will not use it.

The practical application of what I have just said is this, that in the manufacture of the by-products of corn there is no incentive to make larger quantities of corn oil because there is no way of disposing of the corn sugar, and of course, if the Senator from Texas had his way, there would be less corn sugar sold. But there can be no doubt that if there were some way of liberalizing the use of corn sugar in legitimate food products there could be produced a very much larger quantity of corn oil, which would mean a demand for cash corn, and would promote the welfare of the farmers of the United States.

Mr. SHEPPARD. Mr. President, I desire to say to the Senator from New York that I am in favor of using the corn sugar to the largest possible extent, because it is the healthiest form in which sugar is produced outside of the human body. In fact, if I understand the matter, corn sugar is sugar in the only form produced outside of the human body similar to the form of sugar into which the machinery of the human body converts other products taken from the outside for its nutrition.

Mr. COPELAND. Dextrose.

Mr. SHEPPARD. Exactly. The soap makers in their brief showed a further consumption, for soap-making purposes, of 20,000,000 pounds of cottonseed oil in the United States; peanut oil, 3,000,000 pounds; cottonseed foots, 120,000,000 pounds; whale oil, 11,500,000 pounds; herring and sardine oil and menhaden oil, 35,000,000 pounds; tallow, 454,000,000 pounds; white, yellow, brown, tankage, recovered garbage, and bone grease, 213,000,000 pounds; red oil, 15,000,000 pounds; miscellaneous, 60,000,000 pounds; a total of nearly 937,000,000 pounds.

This brief of the soap makers indicated further that the oils and fats imported for soap production in this country were as follows: Coconut oil, 350,000,000 pounds; olive oil foots, 38,000,000 pounds; olive oil inedible, 7,520,000 pounds; palm oil, 135,000,000 pounds; palm-kernel oil, 50,000,000 pounds; soybean oil, 2,500,000 pounds; whale oil, 43,500,000 pounds; herring and sardine oil, 40,000,000 pounds; tallow, 12,500,000 pounds; miscellaneous greases, 20,000,000 pounds; vegetable tallow, 8,341,000 pounds; a total of about 700,000,000 pounds.

What better illustration than these figures could be given of the similar composition of so many oils and fats of such diverse origin and of their adaptability to soap making among other things? What better illustration than these figures could be had of the fact that our soap makers are dependent on no one or two oils of particular types for raw material? What better illustration than these figures could be furnished to show that a tariff, to be of any real benefit in any of these oils, should be uniformly applicable to all?

Mr. BROOKHART. Mr. President—

The PRESIDING OFFICER (Mr. PINE in the chair). Does the Senator from Texas yield to the Senator from Iowa?

Mr. SHEPPARD. I yield.

Mr. BROOKHART. If that be the situation, is it not true that the soap makers can use any of these imported oils for the purpose of beating down the prices of the other domestic oils?

Mr. SHEPPARD. That is very true.

Of the total supply of imported and domestic fats and oils utilized in the United States in 1927, amounting to 7,876,000,000 pounds, more than 1,600,000,000 pounds were employed in soap making.

Note at this point that, with the exception of whale oil, practically all of the oils and fats imported for soap making in this country are either on the free list or carry duties insignificantly small.

Naturally the soap makers have explored the world for the cheapest raw materials. With the aid of chemical research and discovery they have learned to convert these materials so as to make them interchangeable to the greatest extent, to render them almost equally available for whatever special use or special type, they may find desirable.

Take the history of soybean oil. It shows the ability of the soap maker to alter his demands for raw materials not on the

basis of physical characteristics but of price. While soybean oil was on the free list the soap industry utilized it rapidly. It was subjected to a duty of 20 cents per gallon by the emergency tariff act of 1921, and the soap makers searched the globe for cheaper forms of supply. These efforts continued, although the Fordney-McCumber Act of 1922 reduced the rate on this oil to 18½ cents per gallon. Quickly and extensively they began to utilize the duty-free coconut oil of the Philippines; the duty-free palm kernel and palm oil of West Africa. They bought large quantities of herring and sardine oils, which carried unsubstantial tariff charges.

They displayed admirable business judgment, but none the less they operated to the disadvantage of American farmers engaged in the production of the raw materials out of which some great soap concerns have amassed colossal wealth.

More soap is produced in the United States than in any other country in the world. The output of 1925 totaled almost 3,000,000,000 pounds, with a value of nearly \$250,000,000. Sixty-three million pounds were exported, having a value of more than \$6,000,000.

Mr. BROOKHART. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Iowa?

Mr. SHEPPARD. I yield.

Mr. BROOKHART. In that connection the bill provides a protective-tariff rate on soap itself, does it not?

Mr. SHEPPARD. It does.

Mr. BROOKHART. Does the Senator remember what the rate is?

Mr. SHEPPARD. I will ask the Senator from Utah [Mr. SMOOT] if he recalls the rate on soap?

Mr. SMOOT. It all depends on the grade of soap. There is fancy soap and the plain soap.

Mr. SHEPPARD. I shall obtain the figures for the Senator.

Mr. BROOKHART. Very well. I think the information ought to go into the Record at this point. It seems to be an unreasonable position to be demanding protection on soap and at the same time wanting free raw material to compete with the finished product.

Mr. SHEPPARD. It means an additional burden upon agriculture to furnish these materials in competition with the world and then pay a protective duty on the finished product which they use in common with other people.

Mr. SMOOT. The rates on soap will be found on page 31, in paragraph 81, as follows:

Castile soap, 15 per cent ad valorem; toilet soap, 30 per cent ad valorem; all other soap and soap powders not specifically provided for, 15 per cent ad valorem.

Mr. SHEPPARD. In other words, soap has a protection under the existing law ranging from 15 to 30 per cent ad valorem.

Mr. SMOOT. There is only the one kind of soap that has a 30 per cent rate, and that is the fancy toilet soap.

Mr. SHEPPARD. I was giving the range of rates.

Mr. SMOOT. But the soap we are talking about now, made from the commodity mentioned by the Senator, bears a rate of 15 per cent ad valorem.

Mr. SHEPPARD. Here again we find American industry clamoring for a free market in which to buy its raw materials at manifest cost and loss to American agriculture, while enjoying protection on its finished articles. Here again it insists that our farmers must offer their products in an open market and buy the manufactured goods they so sorely need in a protected market.

The story does not end here. In 1927 we had an adverse trade balance of 233,000,000 pounds of fats, oils, and greases—an adverse trade balance of 973,000,000 pounds of vegetable oils and fats. To be more specific, we imported 1,212,000,000 pounds of fats, oils, and greases. We exported 979,000,000 pounds. Balance against us 233,000,000 pounds. We imported 1,033,000,000 pounds of vegetable oils and fats. We exported 80,000,000 pounds. Balance against us 973,000,000 pounds.

We are importing a net balance of nearly a billion pounds of vegetable oils and fats a year. Gradually and uniformly we have been approaching this situation since 1914. Before that year exports exceeded imports, because we exported large quantities of cottonseed oil and imported small amounts of coconut oil. How long is this vast and swelling volume of duty-free foreign importations to be permitted to overwhelm and impoverish our agriculture? Give American oils and oil materials an adequate price and their growth will defy all computation. Subject them much longer to unlimited imports free of duty from the overpopulated and pauperized Orient and they will inevitably reach a low and humiliating basis of production.

We exported in 1928 more than 50,000,000 pounds of crude and refined cottonseed oil, with a value of almost \$5,000,000. These exports faced the competition in a world market of foreign soybean, olive, and peanut oils. It would be enlightening to determine the degree to which these exports were driven out of this country by the cheaper oils from countries of the lowest living standards, the lowest returns for labor.

American tariff history presents chapter after chapter of favors for industry—favors and privileges out of which it has become the richest and most powerful element in the economic make-up of the world. Let the next chapter disclose an effort to accord neglected agriculture the same consideration, the same regard, in order that equality of right, freedom of opportunity, may remain the watchwords of this Republic.

SESAME OIL

Following cottonseed oil in this bill is sesame oil.

Sesame seed are grown in East India, Java, Siam, China, Japan, and in countries bordering the Mediterranean. The oil from the seed is thin, yellow, odorless, of pleasant taste, with no tendency to rancidity after exposure. It is used as a table oil, either singly or in combination with olive oil. Its poorer grades are utilized for fuel and soap. In the fuel use we find a vegetable oil a competitor with mineral oil. There seems to be no limit to the possibilities of vegetable oils. The chemical laboratory holds the magic key to a wonderful future for them.

Sesame seed go, as a rule, to the Netherlands, where they are crushed into oil. The oil comes into the United States free of duty, to undermine and undersell the products of the American farm. It is the only edible salad oil now coming here without duty. Prior to the Republican tariff act of 1922 the Democratic tariff law had kept a tariff on sesame oil, and imports were about 16,000 pounds. After the Republicans put this oil on the free list imports climbed to nearly 9,000,000 pounds in 1923, and fluctuating somewhat since then, reached a total of more than 6,000,000 pounds in 1928. Testimony was adduced before the Ways and Means Committee in the House in the course of the hearings on this bill to the effect that in 1928 sesame oil was offered at a price of 14 per cent below domestic oils.

Be this as it may, it is certain that American farmers can not compete, and ought not to be expected to compete, with the low living standards of the Orient and the Mediterranean east.

One of our country's sorest needs is to be saved from the menace of the Republican principle of free trade, which is utilized by the Republican Party whenever the benefit and will of the protected special interests point to such a course.

PALM-KERNEL OIL

The next oil listed in the bill is palm-kernel oil.

The nuts of the palm tree produce palm-kernel oil. The trees producing these nuts are grown principally in West Africa and Sumatra.

This oil is used mainly in soap making. It is similar to coconut oil and is a substitute for the latter in hard-water soaps. We are told that coconut oil alone will make a soap which will lather in hard water, yet here is an oil that is used as a substitute in that respect for coconut oil.

In its refined state palm-kernel oil is used in margarines and lard compounds. It comes to us from Africa through Germany, where the nuts are crushed into oil. No crushing of these nuts has occurred in this country since 1921. In that year 1,327,382 pounds were crushed here.

We imported 53,812,482 pounds of palm-kernel oil in 1928, having a value of \$4,369,100. These imports have been growing rapidly since 1924, in which year they amounted to but 5,000,000 pounds—more than a tenfold increase in importations in five years of an article competing with products of the American farm!

Palm-kernel oil is a competitor with all domestic fats and oils and it enters our country free of duty.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

Mr. SHEPPARD. I yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, the committee amendment—

Mr. SHEPPARD. Will the Senator read the amendment?

Mr. FLETCHER. Yes. It proposes to strike out in paragraph 1733 the words "olive oil and palm-kernel oil rendered" and insert the words "olive, palm-kernel, rapeseed, sunflower, and sesame oil rendered," so as to read:

PAR. 1733. Oils, expressed or extracted: Croton, palm, perilla, and sweet almond; olive, palm-kernel, rapeseed, sunflower, and sesame oil, rendered unfit for use as food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him; tung oil; and nut oils not specially provided for.

Mr. SHEPPARD. Exactly; under the committee amendment those oils will be enabled to come in from foreign countries and compete with the products of the American farm in the making of soap and similar articles.

Mr. FLETCHER. I understand the committee proposes also to strike out the words "Chinese and Japanese tung oils," and to substitute the words "tung oil." I do not know whether or not that has been agreed to, but I think those oils are retained on the free list.

Mr. SHEPPARD. What the Senator has read substantiates my statement.

Mr. FLETCHER. I was going to ask the Senator if a duty shall be put upon this oil, is it contemplated that there shall be some compensatory duty, as it is called, imposed on the soap that is manufactured from it by reason of the imposition of a duty on the oil itself?

Mr. SHEPPARD. A duty is already provided in the case of soap.

Mr. FLETCHER. I understand there is a duty on soap, but it is not a very high duty, I believe, and if a duty shall be imposed on the oil that now comes in free, will that prompt a motion to increase the duty on soap by such an amount as might be necessary to provide what is called a compensatory duty? That has been the practice in many instances. I do not know whether or not there has been any expression on that subject. I know that we have heard it advocated here in the Senate that wherever a duty is imposed on the raw material then the manufacturer should be compensated by increasing the duty on the manufactured product. I am wondering if the Senator has any information as to whether it is contemplated if a duty shall be placed on this raw material also to increase the duty on soap or other manufactured product?

Mr. SHEPPARD. That is a question which, I think, should be determined on its merits. I would be perfectly willing to support a duty on the finished products which would be fair and just when all costs are considered. I believe that all American industry ought to be adjusted to a fair and living price for the products of the farm.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. COPELAND. Is not the duty on soap largely on the expensive toilet soap?

Mr. SHEPPARD. The highest duty is on toilet soap; but the duties on all soaps range from 15 per cent to 30 per cent ad valorem.

Mr. COPELAND. Of course we are interested, in so far as we can do so, not alone in protecting the interest of the American farmer but protect as well the interest of the American consumer. So when it comes to laundry soap, which is something that is used in every home in America and in every hospital—I understand that 20 pounds a year to a bed is the proportion of such soap used in the hospitals—it is a matter of some concern.

Mr. SHEPPARD. Soaps seem to be well taken care of in this bill.

PEANUT OIL

We proceed now to the consideration of peanut oil.

The United States and China are the principal peanut-producing countries. Africa, India, and Spain are large producers.

From peanuts not used for edible purposes comes almost all the supply of peanut oil. This oil functions as a salad oil both independently and in combination with olive oil. It is employed as an ingredient in margarine, including lard and butter substitutes, and in packing sardines. The cake left after the oil is expressed is a valuable cattle feed, and when made from high-grade blanched nuts may be used with wheat flour for certain kinds of bread. Peanut oil is used in oiling wood and in making soap, textiles, and chocolates. Watchmakers use it as lubricant for the delicate machinery of their products.

Imports of peanut oil come mainly from China, although considerable quantities are furnished by France. The amount of peanut oil imported into the United States in 1928 was 2,219,359 pounds, about one-sixth of the home output. Imports have ranged in recent years from 16 to 37 per cent of the domestic production.

A preliminary report of the Tariff Commission presented in April, 1926, showed that the cost of producing peanut oil in the crop year of 1923-24 was 9.33 cents per pound in this country and 6.78 cents per pound in China.

The interplay among nearly all vegetable and animal oils for virtually the same objectives covers peanut oil also and its use is determined largely by the price relationship between it and the other oils.

SOYBEAN OIL

Soybean oil is our next subject.

The soybean grows principally in Manchuria. The oil from the soybean came into the United States in great quantities during the World War for use in the manufacture of soap and lard compounds. It is valuable as a vegetable oil, and it is also used in oleomargarines, salad oils, soaps, paints, varnishes, oilcloth, linoleum, and printers' ink.

Here is a plant which will produce an oil that is used for nearly every important purpose for which any oil is now being used in the United States or elsewhere. Let me recite the list of uses of soybean oil. It is used in connection with the production of oleomargarines, salad oils, soaps, paints, varnishes, oilcloth, linoleum, and printer's ink.

Here we have an instance of a vegetable oil functioning as a competitor with the inedible oils in the production of such articles as paints, varnishes, oilcloth, and the like, an added evidence of the interuses of almost all the oils now under consideration.

The domestic production of crude soybean oil in the United States in 1928 amounted to 4,715,908 pounds. Soybeans have been grown in this country on a rapidly increasing scale in the last several years. A by-product of soybean oil is soybean cake which is an excellent feed for cattle, the value of the cake from a certain quantity of beans being 50 per cent greater than the value of the oil.

Mr. BROOKHART. The development of soybean culture could be encouraged on American farms.

Mr. SHEPPARD. The Senator is right.

Mr. BROOKHART. And the soybean has another value, namely, it enriches the soil in rotation of crops; for that purpose it is one of the most valuable crops which we have.

Mr. SHEPPARD. I am delighted to have that suggestion from the Senator.

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from New York?

Mr. SHEPPARD. I yield.

Mr. COPELAND. Soybean oil is a drying oil, and in its chief commercial use it comes in competition with linseed oil. We are importing half of our linseed oil; there has been a demand for about 250,000,000 pounds, and yet, in spite of all the possibilities of substituting soybean oil, we produced only 4,700,000 pounds of soybean oil during the past year. I can not understand why, if it is such a valuable oil as suggested, it has not been produced in large quantities, especially in view of the high price it now commands for use as a drying oil in connection with the paint industry.

Mr. SHEPPARD. It is because other foreign oils which can be used for the same purposes are usurping the place it could fill.

Maximum importation of soybean oil was reached in 1918. Since then importation has declined to 5 per cent in 1927 of what it was in 1918, a war year. However, we imported over 12,000,000 pounds in 1928, about three times the home production. In that year we exported 7,142,097 pounds, leaving a net balance of imports. Our exports go chiefly to Cuba, Dominican Republic, British South Africa, and Canada.

The Tariff Commission in a report presented in April, 1926, tells us that the cost of producing soybean oil in the United States in 1924 was 12.40 cents per pound, in China 6.94 cents per pound.

ALIZARIN ASSISTANT AND TURKEY RED OIL, ETC.

Taking up now, Mr. President, the next paragraph of the bill relating to this discussion I come to the oils which are known as alizarin assistant, Turkey red, and so forth.

The products included in paragraph 56, alizarin assistant oils, Turkey red oil, sulphonated castor or other sulphonated animal and vegetable oils, soaps made in whole or in part from castor oil, and certain soluble greases, are mainly used in the processes of softening, dyeing, tanning, or finishing textiles, and to some extent in finishing leather. The alizarin assistant oils are known also as sulphonated or sulphated oils. They may be produced from olive, peanut, cottonseed, and castor oils. Turkey red oil and sulphonated castor oils are employed in dyeing cotton goods, giving them uniformity of shade and dye penetration. Turkey red oil was first made by treating olive oil with sulphuric acid. An alizarin assistant made from castor oil has been substituted for the Turkey red because it is claimed to produce better results. The soluble greases employed in the various processes of the textile industry are usually the potash or soda soaps prepared from vegetable oils, and they are of utility in scouring raw wool, woolen yarns, in scouring and milling woolen cloth, in degumming silk, in treating cotton fabrics, and in printing calico.

In the last year for which we have statistics—1925—14,338,241 pounds of Turkey red oil were produced in the United States, valued at \$1,552,182, while 25,341,910 pounds of other similar products were made here, with a value of \$2,008,641. Imports in 1928 had a value of \$5,689.

An increase in duty from the existing rate of 35 per cent ad valorem to 45 per cent is asked in order to place these articles on the same basis with other imports competing with our fats and oils. However small the importation of any one of these competing commodities, if a smaller duty is left upon it than upon the rest, demand will be transferred to the low-duty product and its imported volume will begin to swell.

Primarily these articles come from a chemical treatment of castor oil. Castor oil is imported at lower prices than may be obtained for our domestic oils. The production of these articles is no longer dependent on castor oil alone, but may come from both peanut and cottonseed oil. In any event the production of castor beans and castor oil, as additional avenues of farm development and diversification, should be encouraged in the United States.

Alizarin is a dyestuff which tends to promote uniformity of shade and penetration of the dye.

HYDROGENATED OILS AND FATS

I now take up paragraph 57, which deals with hydrogenated oils and fats.

Hydrogenated oils are vegetable oils turned into solid fats by combining them with hydrogen in the presence of a nickel catalyst. A catalyst is any substance used in the process of making another substance which undergoes no change itself in the production of such other substance.

Vegetable oils thus hydrogenated or hardened are used in the manufacture of lard substitutes, cottonseed oil being the vegetable oil principally used for this purpose. By this hardening process fish and whale oils may be converted into odorless, solid fats, adapted to the production of soap.

Beginning about 1907 the hardening industry has had a rapid growth in this country. As has been intimated, the industry necessitates the production of hydrogen on a large scale.

Vegetable fats or lard compounds, produced by the hardening system, amounted in 1928 to 578,470,248 pounds. Imports grew from 405 pounds in 1923 to 57,909 pounds in 1928. Exports for 1928 had a volume of 5,680,959 pounds.

For the same reason that similar duties have been sought on all the interrelated oils and oil materials and oil products competing actually or potentially with American products, a change in the rate on hardened vegetable oils from 4 cents a pound to 5 cents per pound, but not less than 45 per cent ad valorem, is suggested.

Mr. President, I desire now to submit a letter to me from Mr. Gray, of the American Farm Bureau Federation, reading as follows.

Mr. SHEPPARD proceeded to read the letter, and said—I ask that the entire letter may be inserted at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. The letter entire is as follows:

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., January 25, 1930.

Hon. MORRIS SHEPPARD,

United States Senate, Washington, D. C.

MY DEAR SENATOR: The extent to which oils and fats may be substituted and interchanged for various uses constitutes one of the most important considerations in fixing the import duties on the commodities.

Accordingly, the legislative department of the American Farm Bureau Federation has undertaken a rather comprehensive survey of the whole field with reference to animal and vegetable oils and fats, with a view to determining upon the basis of reliable and generally recognized scientific authorities the extent of substitution and interchangeability which is possible for all of the important animal and vegetable oils which are, or may be, of any reasonable degree of importance.

I take pleasure in transmitting herewith a report containing the results of this investigation, which I believe will help to clear up a considerable number of disputed questions concerning interchangeability.

An effort has been made to exclude all extraneous matters and to confine the investigation to a single purpose, namely, to show what oils and fats are interchangeable for certain uses and to assemble the findings of the most reliable and expert authorities thereto. You will note that this material is divided up into the following sections: First, a general explanatory statement, then a detailed summarization of facts concerning the uses and interchangeability of oils and fats. The data concerning oils and fats are divided into two groups, each of which is arranged in alphabetical order; the first group comprising the oils and fats, which are mentioned by name in the tariff act of 1922; and the second group consisting of a large number of oils and fats

which could be obtained from foreign countries, but which are not mentioned specifically in the tariff act. In addition to this somewhat detailed information a chart has been prepared presenting in highly summarized form for ready reference a bibliography of the authorities who are cited and is also inclosed. The citations of these authorities give the page numbers of the publications from which this information was obtained so that the accuracy of this information may be checked by anyone who desires to do so.

This report reveals an exceedingly wide range of possible substitution and interchangeability among oils and fats. The technical problems involved in the utilization of the majority of these oils and fats have been largely solved by scientific research; which oils and fats are selected for a given use, therefore, becomes very largely an economic problem. Obviously the user of these raw materials will seek to make use of the cheapest available materials. As the price of one oil or fat advances a cheaper substitute may take its place.

It is very essential, therefore, that Congress in fixing the tariff rates on vegetable and animal oils shall work out a rate structure which will be sufficiently comprehensive to protect domestic producers of oils and fats, and the raw materials from which they are secured, against the possibilities of substitution and interchangeability. The protection to domestic producers would be greatly weakened if the tariff rates are raised on only a comparatively few oils and fats and if no duties or low duties are provided on a large number of others, or even a few others which might be available in large quantities. If the rates are raised on some oils and fats and if the rates are left at a very low point on others, or free of duty, the natural consequence would be for the users of oils and fats to shift from the tariff-protected oils to those which are allowed free entry, thereby nullifying the protection against the former group.

You will note from the attached report that the number of oils and fats which are mentioned specifically in the tariff act, and which constitute possible substitutes for domestic oils and fats, are greatly exceeded by the number of oils and fats which are not mentioned specifically in the tariff act, and yet which also constitute possible substitutes for domestic oils and fats for various uses. This means that unless adequate rates are provided in the "basket clauses" in paragraphs 53 and 54 of the pending tariff bill (H. R. 2667), and unless all the unnamed competitive oils are removed from the free list and made dutiable at adequate rates, any increased protection that may be provided on the oils and fats mentioned specifically in the bill may be greatly weakened, if not entirely nullified, because of the possibility and probability of a shift from the tariff protected oils to the nonprotected oils.

The representatives of practically all of the national farm, dairy, and livestock organizations, after giving the matter careful consideration, reached the conclusion that a basic rate of not less than 45 per cent ad valorem on all vegetable and animal oils should be provided and that, coupled with this basic rate, there should be linked the equivalent specific rates per pound for each oil or fat.

If protective duties are to be put upon oils and fats, then it is equally important to place equally protective duties upon the raw materials from which these oils and fats are obtained, particularly the oil-bearing seeds and nuts. Unless this is done the protection on the oils and fats could be almost entirely nullified by bringing in the oil or fat in the raw material, to be expressed or extracted after entry into this country, thereby evading the protective duties provided on the oils or fats.

I am attaching as an appendix to this letter a list of the rates of duty on oils and fats and oil-bearing materials which have been recommended by practically all of the national farm, dairy, and livestock organizations.

The American Farm Bureau Federation, in seeking adequate rates of duty on vegetable and animal oils and fats, does so on behalf of many different groups of farmers and to bring about, by means of the tariff, several beneficial results.

First, it seeks to afford adequate protection for the dairy industry against the substitution of cheap butter substitutes made from cheap oils and fats produced in foreign countries, and thereby it seeks to render the tariff rates on butter more fully effective. This is of vital and widespread importance for several million farmers engaged in the production of butter.

In addition, the Farm Bureau seeks to maintain the vegetable and animal industries already established in the United States. Included among these may be cited the peanut, corn, soybean, castor bean, cottonseed, mustard seed, tung, hempseed, lard, and tallow industries.

Closely related to this purpose is the promotion of a greater industrial utilization of domestic farm products. Both the Government and private interests have expended considerable sums of money for research to discover ways of utilizing farm products to a greater extent for industrial purposes. As a result, there are promising possibilities for the expansion of the industrial utilization of farm products, but unless adequate tariff protection is afforded, foreign producers instead of domestic producers of these raw materials will reap largely the benefit of this increased utilization.

Another important objective to be sought through adequate protective duties on oils and fats is the reduction of surpluses of domestic farm crops by promoting a transfer of acreage to deficit crops. Why should we not encourage by adequate tariff protection the production of flaxseed, hempseed, tung nuts, safflower seed, sunflower seed, and various other oil-bearing materials which can be utilized to supply oils for industrial purposes instead of encouraging by inadequate tariffs, or no tariff at all, the importation of these products from foreign countries to meet domestic requirements? In the case of most of these products just mentioned, the United States is on a deficiency basis. The encouragement of these industries would make possible a transfer of acreage from surplus crops such as wheat, corn, and cotton to these and other deficit crops, and this would be of material benefit to agriculture generally.

A Federal Farm Board has been set up to aid the farmers in disposing of farm surpluses. Is it a sound public policy to set up an agency on the one hand to help get rid of surpluses, and on the other hand to promote the aggravation of such surpluses by a tariff structure which in many cases would prevent the farmers from profitably shifting their surplus crops to deficit crops? Such a transfer can be facilitated if a tariff structure is provided which will make it profitable for the farmers to grow these crops in competition with the foreign supply in the domestic market and profitable in comparison with the surplus crops which they are now producing. It would appear to be a sound policy to correlate the tariff structure on farm products with the efforts to dispose of farm surpluses.

Hoping this information will provide a helpful contribution to the consideration of the tariff structure on oils and fats, I am,

Very sincerely,

AMERICAN FARM BUREAU FEDERATION,
CHESTER H. GRAY,
Washington Representative.

Duties on oils and fats recommended by farm organizations

Paragraph	Name of oil	Proposed duty
53	Animal oils:	
	Herring oil.....	2 cents per pound, but not less than 45 per cent ad valorem.
	Menhaden oil.....	Do.
	Whale oil.....	2.7 cents per pound, but not less than 45 per cent ad valorem.
	Seal oil.....	2.4 cents per pound, but not less than 45 per cent ad valorem.
	Fish oils, not specially provided for....	45 per cent ad valorem.
	All animals, oils, fats, and greases not specially provided for.	Do.
54	Oils, expressed or extracted:	
	Castor oil.....	5 cents per pound, but not less than 45 per cent ad valorem.
	Hempseed oil.....	3.9 cents per pound, but not less than 45 per cent ad valorem.
	Linseed or flaxseed oil, raw, boiled, or oxidized.	4.5 cents per pound, but not less than 45 per cent ad valorem.
	Olive oil, edible, not specially provided for.	10.4 cents per pound, but not less than 45 per cent ad valorem.
	Olive oil, edible, weighing less than 40 pounds.	Do.
	Poppy seed oil, raw, boiled or oxidized.	8.8 cents per pound, but not less than 45 per cent ad valorem.
	Rapeseed oil.....	3.7 cents per pound, but not less than 45 per cent ad valorem.
	Expressed and extracted oils not specially provided for.	45 per cent ad valorem.
55	Cocunut oil.....	3.6 cents per pound, but not less than 45 per cent ad valorem.
	Cottonseed oil.....	Do.
	Peanut oil.....	5.4 cents per pound, but not less than 45 per cent ad valorem.
	Soybean oil.....	2.8 cents per pound, but not less than 45 per cent ad valorem.
	Palm-kernel oil.....	3.6 cents per pound, but not less than 45 per cent ad valorem.
	Sesame oil.....	5.4 cents per pound, but not less than 45 per cent ad valorem.
56	Alizarin assistant, Turkey-red oil, sulphonated castor oil, other sulphonated animal or vegetable oils, etc.	45 per cent ad valorem.
57	Hydrogenated or hardened oils or fats....	All of foregoing oils when hydrogenated or hardened, 1 cent per pound, additional, but not less than 45 per cent ad valorem.
	Oils and fats changed by vulcanizing, oxidizing, etc.	45 per cent ad valorem.
58	Combinations and mixtures of animal, vegetable, or mineral oils.	45 per cent ad valorem.
701	Tallow.....	3.3 cents per pound but not less than 45 per cent ad valorem.
	Oleo oil.....	3.7 cents per pound but not less than 45 per cent ad valorem.
	Oleo stearin.....	4 1/2 cents per pound but not less than 45 per cent ad valorem.
703	Lard.....	5 cents per pound, but not less than 45 per cent ad valorem.
	Lard compounds and lard substitutes.	5 cents per pound, but not less than 45 per cent ad valorem.
	Butter and butter substitutes.....	15 cents per pound but not less than 45 per cent ad valorem.

Duties on oils and fats recommended by farm organizations—Continued

Para-graph	Name of oil	Proposed duty
1733	Palm oil.....	3.1 cents per pound but not less than 45 per cent ad valorem.
	Perilla oil.....	4.6 cents per pound but not less than 45 per cent ad valorem.
	Sweet almond oil.....	3.4 cents per pound, but not less than 45 per cent ad valorem.
	Japanese or Chinese tung oil.....	5.9 cents per pound but not less than 45 per cent ad valorem.
	Vegetable or nut oils, n. s. p. f.....	45 per cent ad valorem.

Duties on oil-bearing seeds and nuts recommended by farm organizations

Para-graph	Name of seeds	Proposed duty
760	Castor beans.....	2 cents per pound, but not less than 45 per cent ad valorem.
	Flaxseed.....	1.5 cents per pound, but not less than 40 per cent ad valorem.
	Soybeans.....	2 cents per pound but not less than 40 per cent ad valorem.
	Cottonseed.....	Do.
	Poppy seed.....	3.8 cents per pound, but not less than 40 per cent ad valorem.
	Sunflower seed.....	3 cents per pound, but not less than 40 per cent ad valorem.
1727	Copra.....	2 cents per pound, but not less than 40 per cent ad valorem.
	Hempseed.....	1 cent per pound, but not less than 40 per cent ad valorem.
	Palm nuts.....	1.7 cents per pound, but not less than 40 per cent ad valorem.
	Palm-nut kernels.....	1.2 cents per pound, but not less than 40 per cent ad valorem.
	Tung nuts.....	2 cents per pound, but not less than 40 per cent ad valorem.
	Rapeseed.....	1.8 cents per pound, but not less than 40 per cent ad valorem.
	Perilla seed.....	1.6 cents per pound, but not less than 40 per cent ad valorem.
	Sesame seed.....	2.4 cents per pound, but not less than 40 per cent ad valorem.
	All other oil-bearing seeds and nuts, not specially provided for.	40 per cent ad valorem.

Mr. SHEPPARD. Next comes the report to which Mr. Gray refers.

Mr. FESS. Mr. President, will the Senator yield there?

Mr. SHEPPARD. I yield.

Mr. FESS. I understood that the letter was to show that these various oils are interchangeable.

Mr. SHEPPARD. Interchangeable to a large extent. The letter will appear in the Record, I did not read it all.

Mr. FESS. I desire to state to the Senator that that is a question that has been pretty widely discussed. I have a very wide range of scientific information from various universities, all of which take the other view, that these oils are not interchangeable. I desire to submit those letters at some time, not in the Senator's speech; but that seems such a striking statement, from the letter the Senator has introduced, since all of the information that I have is just contrary to the information the Senator has given.

Who is the writer of the letter?

Mr. SHEPPARD. Mr. Chester H. Gray wrote the letter. It accompanies a report.

Mr. FESS. The letters that I have are from university men teaching chemistry.

Mr. SHEPPARD. The report to which Mr. Gray refers, and which he summarizes, is by Mr. W. R. Ogg, M. A., assistant to director legislative department, in collaboration with G. S. Jamieson, Ph. D., senior chemist in charge, oil, fat, and wax laboratory, Bureau of Chemistry and Soils, United States Department of Agriculture; formerly assistant professor of analytical chemistry, Yale University.

Mr. FESS. That ought to be pretty good.

Mr. SHEPPARD. I wish the Senator would put these letters in the Record because I think the authorities I am going to refer to would make sufficient answer to them. They could appear at the end of my remarks.

The VICE PRESIDENT. Without objection, the letters submitted by the Senator from Ohio will be printed in the Record at the end of the speech of the Senator from Texas.

Mr. SHEPPARD. Mr. President, here is the foreword to this report:

In the preparation of this material, much valuable assistance has been given by Dr. G. S. Jamieson, who has collaborated in this work. Grateful acknowledgement is made to him for his valuable suggestions, particularly in the selection of authorities, and in the discussions of the uses and interchangeability of oils and fats. The material concerning Possible Substitution or Interchangeability was prepared almost

entirely by him. Valuable help was also rendered by the Library of Congress and by the Bureau of Agricultural Economics, United States Department of Agriculture, and particularly by C. L. Luedtke, senior agricultural economist; Miss Mary G. Lacey, librarian; Miss Mary Carpenter, in charge of the loan desk; and by Miss Lillian Crans and Miss Leona Sportsman, of the library staff; also by Miss M. B. Beckwith, librarian of the Bureau of Chemistry; Dr. W. W. Skinner, assistant chief chemical and technological research, Bureau of Chemistry and Soils; and others.

Mr. FESS. Mr. President—

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Ohio?

Mr. SHEPPARD. I do.

Mr. FESS. Does that express an opinion, or is it just a compilation of data in the Library?

Mr. SHEPPARD. It is also a summary of what well-established authorities hold.

Mr. FESS. I am trying to get at the opinions of the men and women whose qualifications demand our respect.

Mr. SHEPPARD. Actual quotations are made from authorities, so that the Senator can use his own judgment in arriving at his own conclusions. I am going to put into the Record the quotations from these authorities—not the personal views or opinions of the men and women who assembled this data.

Mr. FESS. That answers my question.

Mr. SHEPPARD. I ask that the article be published in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

REPORT OF AMERICAN FARM BUREAU FEDERATION CONCERNING THE INTERCHANGEABILITY OF OILS AND FATS

(By W. R. Ogg, M. A., assistant to director, legislative department, in collaboration with G. S. Jamieson, Ph. D., senior chemist in charge, oil, fat, and wax laboratory, Bureau of Chemistry and Soils, United States Department of Agriculture, formerly assistant professor of analytical chemistry, Yale University)

PURPOSE AND SCOPE OF THE INVESTIGATION

This investigation is confined to one general purpose, namely, to ascertain the extent and the possibilities of substitution and interchangeability among oils and fats for various uses.

In order that the data obtained might be as authoritative and reliable as possible, diligent search has been made through the published findings of the most eminent authorities in the field of oil chemistry and technology. Many of these authorities are of international reputation and recognition in their field.

In considering the question of substitution and interchangeability the possibilities have been taken into account, as well as the actual substitution at the present time. It is not sufficient to show merely the extent to which oils and fats are used now or have been used in the past as substitutes for other oils and fats, because the actual uses are largely dependent upon economic factors.

Because certain oils and fats are utilized for certain uses to-day does not necessarily mean that other oils and fats are not equally well suited for these same purposes, as far as their chemical properties are concerned. The fact is there are a great many oils and fats which are used now only slightly or not at all commercially but which, so far as their chemical properties are concerned, could be used equally as well for certain purposes, as some of the oils and fats which are now used extensively for these purposes. Hence an adequate study of interchangeability should include in addition to the actual substitution now practiced but also the possibilities of further substitution and interchangeability.

In this investigation the possible as well as actual substitution and interchangeability have been considered. The consideration of possibilities has been devoted primarily to the technical possibilities rather than the economic, although an effort has been made to avoid obvious absurdities from an economic standpoint.

The oils and fats have been segregated into two groups in this report, the first group containing those which are mentioned by name in the tariff act of 1922 (with the exception of two or three which have been omitted from consideration), and the second group including other oils and fats which are not mentioned specifically in the tariff act.

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The Modern Soap and Detergent Industry, three volumes, by Geoffrey Martin, D. Sc. (London and Bristol), Ph. D., F. I. C. (Institute of Physics), M. I., structural engineer, industrial chemist and engineer, director of research Portland Cement Research Association, fellow of the Chemical Society, etc. (Crosby, Lockwood & Son, London, 1925.)

Modern Soaps, Candles, and Glycerin, by Leebeert Lloyd Lamborn, B. S. (M. I. T.), LL. B. (St. Laurence University), sometime coeditor of the Soap Gazette and Perfumer. (Van Nostrand & Co., New York, third edition, 1920.)

The Production and Treatment of Vegetable Oils, by T. W. Chalmers, B. Sc., A. M., mechanical engineer, member editorial staff of The Engineer. (Van Nostrand & Co., New York, 1918.)

A Short Handbook of Oil Analyses, by Augustus H. Gill, S. B., Ph. D., professor of technical analyses at Massachusetts Institute of Technology, Cambridge, Mass. (Ninth edition, revised, Lippincott Co., Philadelphia, 1919.)

Technical Handbook of Oils, Fats, and Waxes, Volume I, by Percival J. Fryer, F. I. C., F. C. S., chief chemist and director Yalding Manufacturing Co. (Ltd.); lecturer in oils, fats, and waxes at the Polytechnic, Regent Street W.; silver medalist (first honors), City and Guilds of London Institute; and Frank E. Weston, B. Sc. (first honors), F. I. C., head of chemistry department the Polytechnic, Regent Street W. (Cambridge University Press, 1920.)

Vegetable Fats and Oils, by Louis Edgar Andes, author of Drying Oils, Boiled Oils, Etc., Animal Fats and Oils, etc. (Translated from German; Scott, Greenwood & Son, London, fourth English edition, revised, 1925.)

Mr. SHEPPARD. Then follow quotations from well-known authorities on this question of oils and fats. These are divided into two parts—one relating to oils and fats mentioned specifically in the tariff bill and the other to oils and fats not mentioned in the tariff bill but included in the basket clause.

I think it will be very valuable to have this information at this time, because, as the Senator from Ohio says, it is a point on which there has been considerable controversy; and I think the data we both place in the RECORD will throw valuable light on the subject.

The part relating to oils and fats mentioned specifically in the tariff bill starts out with almond oil and quotes from Elsdon. I am briefly sketching the substance of these quotations. The quotations to appear in the RECORD in full.

The uses of almond oil are pharmaceutical and cosmetic. It also is used for edible purposes, for soap making, and for adulteration.

It is competitive with olive, peach kernel, apricot kernel, plum kernel, also with refined seed oils, such as cottonseed, corn, soybean, sesame, peanut for salad dressing and as a cooking oil; also with butter and lard.

Mr. BROOKHART. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. BROOKHART. Has the Senator any special information as to whether or not coconut oil can be substituted?

Mr. SHEPPARD. I shall come to that in a moment.

Mr. BROOKHART. The Senator has not especially mentioned that. It is one of the claims that there is no substitution of coconut oil.

Mr. SHEPPARD. I am taking these oils as they are discussed in this report, and I have begun with almond oil.

Mr. BROOKHART. The Senator will discuss coconut oil?

Mr. SHEPPARD. Yes; I shall give the Senator the substance of what these authorities say as to coconut oil.

Next comes butter, or edible fat, used for table purposes and as a cooking fat.

The statement as to butter is as follows:

As an edible fat for table use and for cooking purposes, domestic butter encounters a widespread and rapidly increasing competition with other oils and fats from animal, vegetable, and marine sources. A complete list of all the available substitutes for butter would be formidable in its proportions, but among the more important possible substitutes available in foreign countries are coconut oil, palm oil, palm-kernel oil, Borneo tallow, Malabar tallow, edible beef tallow, shea butter, macassar oil, illipe butter, mowrah butter, also with hydrogenated oils, such as whale, fish, cottonseed, corn, peanut, soybean, pumpkin seed, luffa seed, kapok seed, safflower, sunflower, poppy-seed oil, etc., all these competing with butter.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. SHEPPARD. I yield.

Mr. SMOOT. I can not for the life of me see why anyone would substitute almond oil for butter fats, or use it as a butter substitute, when the rate on almond oil is 70 cents a pound. I do not think very much of it would be put into butter, selling for not half what the almond oil pays. I can not see how that would happen.

Mr. SHEPPARD. Perhaps the Senator can not see it, but it may be true nevertheless.

Mr. SMOOT. Is anybody going to pay 70 cents a pound on almond oil and put it into butter, and then sell the butter with that substitute in it for 35 cents?

Mr. SHEPPARD. The prices are not always going to be what they are now.

Mr. SMOOT. Then let us take the figures for a number of years back and see what they were. In 1919 the rate was not 70 but 84 cents a pound. So if we go back that far, we will find that it was still higher than it is to-day.

Mr. SHEPPARD. I did not refer to what had been. I said prices are not always going to be what they are now.

Mr. BROOKHART. Mr. President, the decline in prices would be an indication that it would get down to where it would compete with butter.

Mr. SMOOT. The lowest point is about 70 cents.

Mr. BROOKHART. Perhaps it would increase the price of butter.

Mr. SMOOT. No; no one wants a substitute for butter to make it better.

Mr. SHEPPARD. Mr. President, these statements may be taken for what they are worth on the basis of the standing of the authorities.

Now I come to coconut oil, and the uses are, first, for edible purposes, and, next, for soap making. This item, coconut oil, is the article in which the Senator from Iowa is interested. I am referring to a report from Mr. Chalmers, who says:

Coconut oil is very closely similar to palm-kernel oil and is used for the same purposes; that is to say, chiefly in the making of margarine and soap.

Mr. BROOKHART. Mr. President, have we a substitute for its use in soap?

Mr. SHEPPARD. A substitute for coconut oil?

Mr. BROOKHART. Yes; to make just as good a lather. It is claimed that the soap will not lather well without coconut oil.

Mr. SHEPPARD. Yes; there are several substitutes. Then we have cottonseed oil. I will ask that the entire memorandum be placed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

PART I.—OILS AND FATS MENTIONED SPECIFICALLY IN THE TARIFF BILL (H. R. 2667)

ALMOND OIL

"Almond oil is obtained principally from the bitter almond (*Prunus amygdalus*, var. *amara*), although sweet almonds (*Prunus amygdalus*, var. *dulcis*) are occasionally used and also, rather more frequently, a mixture of the two." (Elsdon, p. 250.)

"The commercial oil is expressed (or extracted) chiefly from bitter almonds, the seeds of *Prunus amygdalus*, var. *amara*. * * * The sweet almonds (from *Prunus amygdalus*, var. *dulcis*) are but rarely used alone for the preparation of almond oil. * * * The oils obtained from both varieties are practically identical so that no definite difference can be established by chemical means. * * * Nor can a definite botanical difference be established between the two varieties *amara* and *dulcis*.

"There is apparently practically no difference between the oils from bitter and from sweet almonds." (Elsdon, p. 250.)

"Competitive with peach-kernel oil and apricot-kernel oil." (Mitchell, p. 57.)

Uses

PHARMACEUTICAL AND COSMETIC USES

"Almond oil is largely used in pharmaceutical practice." (Lewkowitsch, vol. 2, p. 296; Laucks, p. 58.)

"Medicinal and cosmetic." (Andes, p. 55.)

"Almond oil is used in medicine or whenever a fairly permanent oil is required." (Gill, p. 122.)

EDIBLE PURPOSES

"Of very high edible value." (Hilditch, p. 101.)

"Almond kernels may be used in preparation of vegetable margarine." (Lewkowitsch, vol. 3, p. 32.)

SOAP MAKING

"One of the prominent oils used for soap making." (Wright and Mitchell, p. 769.)

"Used in high-class soap." (Laucks, p. 58.)

ADULTERATION

"Kernel oils of apricot, peach, and plum are almost identical with almond oil and are frequently used to adulterate almond oil." (Hilditch, p. 101.)

"The chief adulterants of almond oil are apricot-kernel oil and peach-kernel oil. The latter oils are used to such an extent that frequently they are entirely substituted for almond oil." (Lewkowitsch, vol. 2, p. 296.)

"Adulterants: Almond oil is mainly adulterated with poppy oil, sesame, nut, peach, and apricot kernel oils." (Andes, p. 54.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES AND PHARMACEUTICAL PURPOSES

Competitive with olive, peach kernel, apricot kernel, plum kernel; also with refined seed oils such as cottonseed, corn, soybean, sesame, peanut for salad dressing and as a cooking oil; also with butter and lard.

BUTTER

Uses

EDIBLE PURPOSES

It is the edible fat par excellence for table use and as a cooking fat.

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

As an edible fat for table use and for cooking purposes, domestic butter encounters a wide-spread and rapidly increasing competition with other oils and fats from animal, vegetable, and marine sources. A complete list of all the available substitutes would be formidable in its proportions, but among the more important possible substitutes available in foreign countries are: Coconut oil; palm oil; palm-kernel oil; Borneo tallow; Malabar tallow; edible beef tallow; shea butter; macassar oil; illipe butter; mowrah butter, etc.; also with hydrogenated oils such as whale, fish, cottonseed, corn, peanut, soybean, pumpkin seed, luffa seed, kapok seed, safflower, sunflower, and poppy seed oils, etc.

CASTOR OIL

Obtained from castor beans.

Uses

MEDICINAL

"Castor seeds are commonly pressed cold to obtain medicinal oil, and then pressed a second or third time in a hot condition to obtain technical quality oils." (Chalmers, p. 8.)

"Used for medicinal purposes." (Gill, pp. 120-121; Martin, p. 130; Lamborn, p. 77; Andes, p. 65; Lewkowitsch, vol. 2, pp. 413-414; Martin, vol. 1, p. 10; Laucks, p. 67; Andes, p. 61.)

"Castor oil is an important 'nondrying oil' with special properties as a purgative." (Hilditch, p. 102.)

SOAP MAKING

"It is extensively used in the soap industry." (Chalmers, p. 8.)

"Used for soap making." (Gill, pp. 120-121; Andes, p. 65; Martin, vol. 1, p. 10; Hilditch, p. 102.)

"Its use in soap manufacture is chiefly for transparent soap." (Lamborn, p. 77.)

"Castor oil added to hardened linseed oil may be used in making soaps; the castor oil improves the lathering qualities." (Wilhelmus, Seifen, Ztg. (1914), p. 257; Ellis, pp. 388-399.)

"Valuable for soap making." (Schuck, Soap Gazette and Perfumer (1914), p. 419; Ellis, pp. 393-394.)

"By polymerizing and hydrogenating castor oil, a product is obtained suitable for lubrication, or for sulfonation, or for making soap with good lathering qualities." (United States patent No. 1178142, April 4, 1916.) (Ellis, pp. 396-397.)

"Castor oil is used in transparent soap." (Laucks, p. 67.)

LUBRICATION

"Castor oil is of the nondrying class and is of great value as a lubricant." (Chalmers, p. 8.)

"Used as a lubricant." (Martin, p. 130; Andes, p. 65; Martin, vol. 1, p. 10; Laucks, p. 67; Ellis, pp. 396-397.)

"Used for lubricating machinery." (Lamborn, p. 77.)

"In India the oil is largely employed as a lubricant for locomotive bearings. Enormous quantities are now used for lubricating (internal-combustion engines, airplanes). It also finds application for lubricating marine engines and for the manufacture of blended lubricating oils." (Lewkowitsch, vol. 2, pp. 413-414.)

"Used as a lubricant for petrol-driven motors." (Hilditch, p. 102.)

"Soluble castor oil is prepared for use in mineral lubricating oil." (Holde, p. 511.)

IN MANUFACTURE OF RUBBER SUBSTITUTES

"Used in the manufacture of rubber substitutes." (Lewkowitsch, vol. 3, pp. 202-203.)

"It is used in the manufacture of rubber substitutes and is competitive for this use with linseed, wood, rape, and cottonseed oils." (Holde, p. 509.)

IN MANUFACTURE OF "TURKEY-RED" OIL

"Treated with concentrated sulphuric acid it yields a fatty substance known as Turkey-red oil, which is used in preparing cotton fiber for dyeing in the Turkey-red industry." (Chalmers, p. 8.)

"Used in the manufacture of Turkey-red oil." (Holde, pp. 480-481; Ellis, pp. 396-397; Lewkowitsch, vol. 3, p. 207; Gill, pp. 120-121; Martin, p. 130; Andes, p. 65; Martin, vol. 1, p. 10; Andes, p. 61; Hilditch, p. 102; Laucks, p. 67.)

TREATMENT OF LEATHERS

"Used for treating leathers." (Andes, pp. 61-65; Laucks, p. 67.)

"Castor oil is used also as a preservative for leather belting in heavy work and for fat liquoring in the leather industries." (Lewkowitsch, vol. 2, pp. 413-414.)

ADHESIVES

"It plays an important part in the preparation of fly gums and in the manufacture of other adhesive agents." (Lewkowitsch, vol. 2, pp. 413-414.)

ADULTERANTS

"Blown oils, either linseed, rape, or cottonseed, and rosin oils." (Gill, pp. 120-121.)

"If the price of castor oil is low adulteration with a fatty oil will hardly be practiced. When castor oil was high in price adulteration with rape oil, rosin oil, and chiefly with 'blown' oils did occur." (Lewkowitsch, vol. 2, pp. 413-414.)

TREATING LEATHER

"Used chiefly in a sulphonated form for treating leather." (The Castor Oil Industry, U. S. Dept. of Agriculture, Bulletin No. 867, p. 38.)

ARTIFICIAL LEATHER

"Particularly adapted for use in the manufacture of artificial leather." (The Castor Oil Industry, U. S. Dept. of Agriculture, Bulletin, No. 867, p. 38.)

CASTOR OIL

Possible substitution or interchangeability

SOAP MAKING

Castor-oil soap has unique properties due to the composition of the oil. These are not reproducible by competitive oils for certain specialized types of soap.

LUBRICATION

Competitive with certain mineral-oil lubricants, which may or may not contain fatty oils such as blown-rape oil, fatty acids, neat's-foot oil, lard oil, etc.

RUBBER SUBSTITUTES

Competitive with sesame oil or rape oil. Imports of soybean oil and corn oil would also compete with castor oil for this purpose.

"TURKEY-RED" OIL

Competitive with foreign fish body and liver oils, and many liquid vegetable oils such as rape, sesame, and olive oils.

COCONUT OIL (COPRA OIL)

Obtained from the inner kernel of the coconut, the seed of *Cocos nucifera* L.

The dried white meat of coconuts yields coconut oil.

"By far the largest amount of oil is now obtained from imported copra by expression, in Europe and America, in modern presses and is known as copra oil. A larger quantity is, however, now being pressed in the countries of origin but there is no doubt but that this amount will increase." (Elsdon, p. 327.)

Uses

EDIBLE PURPOSES

"Various methods are in use for deodorizing coconut oil and rendering it suitable as a substitute for butter (see Chap. XI). As thus prepared, coconut oil is sold under different fancy names, such as 'vegetaline,' 'vegetable butter,' 'lactine,' etc.

"It is used in the manufacture of margarine, and may therefore be met with in butter. It is also used to adulterate lard and cacao butter." (Wright & Mitchell, pp. 612-613.)

"This oil is naturally in greatest demand for edible fats, whilst oils extracted in Europe from copra are in general more suitable as soap material." (Hilditch, p. 93; also pp. 259-60.)

Mixture of coconut oil and cottonseed oil is used as a butter substitute and for an edible fat described by Ellis (United States patent No. 1037881, Sept. 10, 1912.)

"Uses, alimentary purposes: 'In the production of an edible fat.'" (Andes, p. 157.)

"Coconut oil is very closely similar to palm-kernel oil and is used for much the same purposes; that is to say, chiefly in the making of margarine and soap." (Chalmers, p. 9.)

"Used for the manufacture of margarine." (Myddleton & Barry, p. 143; Martin, p. 130; Lewkowitsch, vol. 3, p. 33; Keris in Chem. Revue, 1912, p. 196; Lewkowitsch, vol. 3, p. 56.)

"Coconut oil is used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, p. 58.)

"It is also used extensively as a vegetable butter and as a chocolate fat." (Lewkowitsch, vol. 2, p. 660.)

"Used as an edible fat." (Gill, p. 139.)

"Good grades of coconut oil are used for edible purposes, as for margarines, chocolate fats, vegetable butters, etc. Oil containing less than 3 or 4 per cent acid is specially refined to deodorize it for such purposes. It may be pressed to remove some of the liquid fats contained. A stearin from coconut is used in candles, cocoa butter substitutes, and pharmacy." (Laucks, pp. 92-93.)

SOAP MAKING

"For soap making." (Schaul; Ellis, p. 366; Hilditch, p. 93; Andes, p. 157; Gill, p. 139; Martin, p. 130.)

"Inferior and acid products are used in the manufacture of 'salt-water' soap." (Mitchell, p. 77.)

"Coconut oil is very closely similar to palm-kernel oil and is used for much the same purposes; that is to say, chiefly in the making of margarine and of soap." (Chalmers, p. 9.)

"Coconut oil is used as a substitute for tallow." (Lewkowitsch, vol. 3, p. 31.)

"Coconut is used in enormous quantities in the manufacture of soaps, made by the boiling process as also by the cold process." (Lewkowitsch, vol. 2, p. 660.)

"In the United States it is used in large quantities for floating, milled, toilet, and certain high-grade laundry and scouring (sand) soaps." (Lamborn, p. 73.)

"The olein (or liquid fat) is used in soap making, bakers' fat, etc. Oil unfit for edible purposes is used for soap. The soap is not precipitated or rendered insoluble by salt solutions, hence it makes a 'salt-water' soap. It is not often adulterated, though palm-nut oil is sometimes present. It, however, can not be detected and fills the same uses as coconut." (Laucks, pp. 92-93.)

CANDLES

"Coconut oil is used as an adulterant of beef and mutton tallow in the manufacture of candles." (Holde, p. 443.)

"Used to adulterate tallow in the manufacture of candles." (Holde, p. 443.)

"Used in candle making." (Gill, p. 139; Andes, p. 157.)

"It is also used to some extent as raw material for candle stock." (Lamborn, p. 73.)

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes, coconut oil is competitive with domestic edible animal fats such as edible tallow, butter, and neutral lard, and also with domestic hardened edible vegetable oils such as cottonseed, peanut, corn, and soybean oils.

SOAP MAKING

For making marine soaps, coconut oil has unique properties, but for other types of soap it could be used to replace, wholly or in part, practically any domestic animal or domestic vegetable fatty product, including tallow, cottonseed oil, soybean oil, peanut oil, corn oil, olive oil, etc.

CANDLE MAKING

Not used for this purpose in the United States at the present time.

COTTONSEED OIL

Obtained from cottonseeds.

Uses

EDIBLE

"Used for edible purposes." (Laucks, p. 53; Lamborn, p. 68; Ellis, United States patent 1037881, September 10, 1912; Hilditch, p. 105; Gill, p. 118; Ellis-Lowenstein, United States Patent No. 1187999, June 20, 1916, p. 354; Thanes and Muller, Arch. Hyg. 84, 56-77, 1915; chem. abs. 1915, 1642; Lewkowitsch, vol. 2, pp. 209-215.)

"Used for the manufacture of margarine." (Myddleton & Barry, p. 143; Martin, vol. 1, p. 10; Lewkowitsch, vol. 3, p. 33; Holde, p. 368; Bontoux, Matieres, 1914, p. 4144; Siefen, Zty., 1914, p. 987; Wright and Mitchell, p. 615; Ellis, p. 346.)

"Used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, p. 58; Hilditch, p. 105; Martin, vol. 1, p. 10; Laucks, p. 53; Holde, p. 368; Ellis, pp. 344-346.)

"Cottonseed oil is extensively used as a salad oil, and is made up into 'compound lard' and margarine, either as an admixture with solid fats, or more recently, if hydrogenated." (Mitchell, p. 63.)

"Refined cottonseed oil is in extensive use for edible purposes. It appears on the table as salad oil, it is used by the sardine tinning industry, and under the name of butter oil it forms one of the chief raw materials of the margarine manufacturer and of the manufacture of lard substitutes or compound lard as it is called." (Chalmers, p. 7.)

"Cottonseed oil is used as a substitute for tallow in cooking compounds." (Lewkowitsch, vol. 3, p. 30.)

"Edible purposes or for adulteration of olive oil or for preparation of lard substitutes, salad oil, and margarine." (Elsdon, pp. 212-213; Andes, p. 83; Chalmers, p. 7.)

"Hardened cottonseed oil for use in shortening is described by Kohman, Godfrey, and Ashe." (United States Patent Nos. 1204280 and 1204281, Nov. 7, 1916; United States Patent Nos. 1242883 and 1242884, October 9, 1917; Ellis, pp. 341-342.) Also by Holbrook (United States Patent No. 1210940, January 2, 1917; Ellis, p. 343.)

"Cottonseed stearin is the solid fat that deposits on chilling cottonseed oil. In America this deposit is separated and pressed, leaving what is known as 'winter' cottonseed oil. It is used in the manufacture of soap and margarine." (Wright and Mitchell, p. 615.)

"Ellis describes a method of producing an edible hydrogenated fat free from catalytic metal from cottonseed oil." (United States Patent No. 1097308, May 19, 1914; Ellis, p. 348.)

SOAP MAKING

"Used in the manufacture of soap." (Holde, p. 368; Martin, vol. 1, p. 10; Lamborn, p. 68; Hilditch, p. 105; Wright and Mitchell, p. 615; Gill, p. 118; Elsdon, pp. 212-213; Andes, p. 83; Chalmers, p. 7; Ellis, pp. 382-383.)

"Apart from the very great use of cottonseed oil for edible purposes, its chief industrial employment is in the soap-making industry. It is frequently used in this connection by itself. As an ingredient of toilet soap it is commonly mixed with tallow or coconut oil. It is also widely used in the manufacture of soap powders." (Chalmers, pp. 7-8.)

"It can be used in the preparation of a substitute for tallow." (Stadley, Eng. Patent, 10429, 1910; Lewkowitsch, vol. 3, p. 31.)

"In refining cottonseed oil a precipitate is obtained which may be used for soap making." (Lewkowitsch, vol. 3, p. 418.)

"The lower grades are employed in enormous quantities as a soap-making oil * * *." (Lewkowitsch, vol. 2, p. 215.)

"Hardened cottonseed oil has been used in soap making as a tallow substitute. It has hardness and appearance of fine tallow. It is satisfactory in soap making in Fels Naptha plant at Philadelphia." (Dr. Bela Toch, Serfen, Ztg., 1912, p. 1245; Ellis, p. 382.)

"By polymerizing and hydrogenating, cottonseed oil is prepared for use as soap with good lathering qualities." (United States Patent No. 1178142, April 4, 1916; Ellis, p. 396-397.)

ADULTERATION

"It is rarely adulterated. Linseed oil is used for this purpose when the price permits. For adulterating other oils, as a cooking oil both by itself, also when hardened, and when mixed with suet, as 'Cot-

tolene,' etc., and for soap stock; it, however, occasions a browning of the product." (Gill, p. 118.)

"Cottonseed oil, being one of the cheapest fatty oils, is not liable to adulteration. Still at times, when linseed oil, maize oil, and soybean oil are much cheaper than cottonseed oil, admixture with these oils may occur." (Lewkowitsch, vol. 2, pp. 209, 215.)

"Cottonseed oil is used to adulterate olive oil and other edible oils and fats." (Lewkowitsch, vol. 2, p. 209; Andes, p. 83; Gill, p. 118; Elsdon, pp. 212-213; Chalmers, p. 7.)

CANDLE MAKING

"Used in the manufacture of candles." (Elsdon, pp. 212-213; Andes, p. 83; Chalmers, p. 7.)

"Cottonseed stearin used as an adulterant of beef and mutton tallow in candle manufacture." (Holde, p. 443.)

TURKEY-RED OIL

"Used in the production of Turkey-red oil." (Lewkowitsch, vol. 3, p. 207.)

RUBBER SUBSTITUTES

"Cottonseed oil is used in the production of rubber substitutes and is competitive for this use with linseed oil, wood oil, rape oil, and castor oil." (Holde, p. 509.)

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes, domestic cottonseed oil when hydrogenated is competitive with foreign vegetable fats such as coconut, palm-kernel oil, and similar fats, and with hydrogenated whale, fish, soybean, peanut, and corn oils, etc. Imported cottonseed oil for this purpose would compete with domestic butter, lard, hydrogenated peanut, corn, and soybean oils. For salad oils, such foreign oils as poppy seed, rape, kapok, and sesame are competitive with domestic cottonseed oil; imports of peanut, sunflower, soybean, and olive oils would also be competitive with domestic cottonseed oil for this purpose. Imported cottonseed oil, for salad oil, would be competitive with domestic corn, soybean, and peanut oils.

SOAP MAKING

Domestic cottonseed oil is in competition with foreign liquid fats, both vegetable and animal, such as hardened fish oils and hardened marine animal oils and most of the liquid and solid vegetable oils and fats, including coconut, palm kernel, soybean, rape, and mustard oils, etc. Imported cottonseed oil would also be competitive for this purpose with domestic liquid fats, both vegetable and animal, such as lard, tallow, hardened fish, soybean, peanut, and corn oils, etc.

CANDLE MAKING

The higher melting fatty acids obtained from domestic cottonseed oil are in competition with similar foreign products obtained from various foreign oils and fats and solid animal fats such as Borneo tallow, illipe fat, and similar solid high-melting fats. Imported cottonseed oil would also be competitive with domestic tallow for this purpose.

"TURKEY-RED" OILS

If used for this purpose domestic cottonseed oil would be in competition with foreign oils such as rape, fish, liver, and body oils. Imported cottonseed oil for this purpose would also compete with domestic castor oil, fish, liver, and body oils.

RUBBER SUBSTITUTES

Domestic cottonseed oil is in competition with foreign oils such as rape oil for this purpose.

Imported cottonseed oil for this purpose would also compete with domestic soybean oil.

FISH OILS

(Herring, salmon, sardine, menhaden, Japanese fish oil, etc.)

Uses

SOAP MAKING

"Hardened fish oil can be utilized in making not only laundry and textile soaps but in toilet soaps also." (Ellis, p. 371.)

"A substitute for tallow in soap making. Tallow does not lather good; neither does hydrogenated fish oil, but both are important ingredients in soap." (Ellis, p. 372; (Bergo Lefen Ztg., 1912, p. 101).)

"By polymerizing and hydrogenation, fish oils may be prepared for use as a lubricant, for sulfonating, or for making soap with good lathering qualities." (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-7.)

"American manufacturers are replacing tallow with hydrogenated oil prepared from fish oils and vegetable oils." (Dr. Bela Loch, Seifen Zeitung (1912), 1245; Ellis, p. 383.)

"Dr. Bela Loch, in the Seifen, Ztg. (1912), page 1245, discusses American soap manufacture and refers to the Fels Naptha soap works of Philadelphia, as being users of hydrogenated oil. He says that Fels Naptha soap contains from 10 to 15 per cent of benzene of high boiling point, and that the raw materials are in large part cotton and corn oil. Only a small proportion of hard stock, such as tallow or palm-kernel oil

is used. The amount of this material employed is, however, reduced because this concern has been able to make use of hydrogenated oil, a material which they have thoroughly tested. At this plant Loch states he saw samples of hardened cotton and corn oil, as well as various kinds of hardened fish oil which were of remarkably fine character. They had the hardness and appearance of fine tallow, were beyond criticism as to odor and could be worked up into a soap in a satisfactory manner." (Pp. 382-3, Ellis.)

"Suitable for soap." (Ellis, p. 360; Garth, Seifen, Ztg. (1912), 1278; Ellis, p. 362; Schaal: Seifenseider Zeitung (1912), 821, 846, 954, 979; (1913) 173 and in Die Modern Toilettesifen Fabrikation, Ungsburg, 1913; Ellis, p. 363; (Laucks, p. 75); Lewkowitsch, vol. 2, p. 431; Hilditch 122; Wright and Mitchell, p. 594.)

"It is used as a partial substitute for tallow in soap." Schaal (Seifen, Ztg. (1913), 173; Ellis, p. 374.)

"It is used as a partial substitute for tallow in soap." (Schaal (Seifen, Ztg. (1913), 173; Ellis, p. 374).)

"In 'Eschwege' soaps tallow may be completely replaced by Talgol (a trade name for fat produced from fish) which produces a firmer soap; the yield is good and the odor is satisfactory and no objection has been raised to its lathering qualities." (P. 374, Ellis.)

"Hardened fish oil can be used in making both laundry soap and toilet soap, either as an entire substitute for tallow or a partial substitute. In laundry soap its poor lathering qualities can be made up by addition of rosin." (Seifen, Ztg. (1912), 870; Ellis, p. 378.) "If mixed with coconut oil, palm-kernel oil, or other oil it gives better results, however, especially for the higher-grade toilet soaps." (Ellis, p. 372.)

"Using 30 to 35 per cent of hardened fish oil, Weber 'has made a satisfactory soap base holding its perfume well' (see Seifen, Ztg. (1913), p. 421), and although prepared without special manipulation did not, after standing a year, show the hardened oil odor when broken. This interval of time is sufficient to determine with certainty whether or not the characteristic odor can be permanently suppressed." (P. 377, Ellis.)

PAINTS

Used as a substitute for or to adulterate boiled oils, such as boiled linseed oil. (Holde, p. 485.)

It is used for preparing paints. (Lewkowitsch, vol. 2, pp. 426-429.)

LUBRICATION

By polymerizing and hydrogenation, fish oils may be prepared for use as a lubricant. (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-7.)

It is used as a lubricant. (Wright and Mitchell, p. 594.)

SULFONATED OIL

By polymerizing and hydrogenation, fish oils may be prepared for use for sulfonating. (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-7.)

TREATING LEATHER

Fish oil is used in Germany for treating leather (Lumbard in paper read before American Leather Chemist Assoc., Chicago, October 30, 1914, Ellis, pp. 405-8.)

Used in the leather industry. (Laucks, p. 75; Lewkowitsch, vol. 2, pp. 431, 426-429; Hilditch, p. 122.)

LINOLEUM

"It is used as an inferior substitute for linseed oil in the production of linoleum." (Hilditch, p. 122.)

CANDLE MAKING

"Normann (Seifen, Ztg. (1914) p. 263) has made candles with stock obtained from hardened fish or whale oil which burned brightly and without odor, similar to the best grade of stearin candles." (Ellis, p. 381.)

Possible substitution or interchangeability

SOAP MAKING

Fish oils can be used for making all classes of soap, and therefore are in competition with all soap-making fats and oils both foreign and domestic, whether liquid, solid, or hydrogenated.

PAINTS AND VARNISHES

Domestic fish oils are in competition with certain foreign fish oils, as herring, sardine oils, etc., and with such foreign drying oils as perilla, n'gart, poppy seed, etc.

Foreign fish oils are in competition for this purpose with domestic, marine, and fish oils such as menhaden, herring, sardine, whale, and seal oils, and with domestic vegetable oils, such as linseed and soybean oils.

SULPHONATED OILS

Domestic fish oils are competitive for this purpose with foreign fish oils such as herring, sardine oils, etc., foreign vegetable oils such as rape and mustard-seed oils, etc. Imported fish oils for this purpose are competitive with domestic fish oils such as herring, sardine oils, etc., and with domestic vegetable oils such as castor oil, mustard oil, etc.

TREATING LEATHER

The sulphonated oils are largely used for this purpose. (For discussion of competition see "Sulphonated oils.")

HEMPSEED OIL

Obtained from hempseed (*Cannabis sativa*).

Uses

PAINTS AND VARNISHES

"Hempseed oil is used as a paint oil, although less frequently in this country (England) than on the Continent.

"The lower qualities of hempseed oil are stated (Lidoff, Chem. Revue, 1900, p. 120) to be used in the manufacture of varnishes (in Russia)." (Lewkowitsch, vol. 2, p. 95.)

"Used as paint oil." (Laucks, p. 41.)

It is used as a drying oil for paints and varnishes.

"It is a good drying oil, though it dries less rapidly than linseed oil." (Wright and Mitchell, pp. 500-501.)

EDIBLE PURPOSES (WHEN HYDROGENATED)

"Used for edible purposes." (Laucks, p. 41.)

SOAP MAKING

"Considerable quantities used to be employed (on the Continent) for making soft soaps, which were characterized by a dark-green color." (Lewkowitsch, vol. 2, p. 95.)

"Used in making soft soaps." (Laucks, p. 41; Wright and Mitchell, pp. 550-551.)

"Used for soap." (Martin, vol. 1, p. 12.)

ADULTERATION

"It is frequently used to adulterate linseed oil, and is also not infrequently present accidentally, owing to the admixture of hempseed with the linseed before expression." (Wright and Mitchell, pp. 550-551.)

Possible substitution or interchangeability

PAINTS AND VARNISHES

Imported hempseed oil for this purpose is competitive with domestic drying oils such as linseed, soybean, walnut, safflower, etc. Domestic hempseed oil is in competition with similar foreign drying oils such as perilla, lumbang, tung, safflower, etc.

SOAP MAKING

Hempseed oil competes with all kinds of domestic and foreign oils, including lard oil, cottonseed, soybean, linseed, coconut, palm-kernel, fish, and whale oils, etc.

HERRING OIL

Uses

Generally speaking, herring oil may be used for the same purposes as the other oils in the fish-oil group. For a detailed statement of these uses see "Fish oils."

Possible substitution or interchangeability

Herring oil can be utilized for most of the same purposes as the other fish oils and therefore is competitive with similar foreign and domestic oils for those uses.

(See discussion of possible substitution or interchangeability under "Fish oils.")

KAPOK OIL

It is obtained from the seeds of *Eriodendron anfractuosum* and *Bombax Cella*. "Both trees are indigenous to the Tropics. *Eriodendron anfractuosum* grows in great profusion in the East and West Indies, the Malayan Archipelago, Indo China (Cochin-China and Cambodia), Mexico, the Antilles, Guiana, and Africa (Madagascar, Senegal, Ivory Coast, Dakomey Nigeria)."

Uses

EDIBLE PURPOSES

"Used for the manufacture of margarine." (Myddleton and Barry, p. 143.)

"Kapok oil is used in its home for edible purposes." (Lewkowitsch, vol. 2, pp. 185-187.)

"Used locally for edible purposes, also to some extent in Europe for soap making in place of cottonseed oil." (Andes, p. 88.)

"The expressed oil (about 40 per cent of the kernels) is used in Holland as food and in the manufacture of soap." (Wright and Mitchell, p. 533.)

SOAP MAKING

"Seeds imported from Java are crushed in Holland and the oil is used for soap making as a substitute for cottonseed oil." (Lewkowitsch, vol. 2, pp. 185-187.)

"Used locally for edible purposes, also to some extent in Europe for soap making in place of cottonseed oil." (Andes, p. 88.)

"The expressed oil (about 40 per cent of the kernels) is used in Holland as food and in the manufacture of soap." (Wright and Mitchell, p. 533.)

SAME USES AS "COTTONSEED OIL"

"The great resemblance of kapok oil to cottonseed oil is further accentuated by the great similarity of the color reactions of the two oils." (Lewkowitsch, vol. 2, pp. 185-187.)

"The kapok seed contains about 23 per cent of oil, and yields about 17 per cent of a greenish-yellow oil very closely resembling cottonseed oil in some of its properties." (Andes, p. 87.)

"It is greenish-yellow in color and has a slight odor. On standing, it deposits stearin in like manner to cottonseed oil, which it also resembles in other respects, though it dries somewhat more rapidly." (Wright and Mitchell, p. 533.)

"The oil is very similar in composition to cottonseed oil and could be used at will for the same ends as the latter to a much greater extent than is at present the case." (Hilditch, p. 105.)

(See "Cottonseed oil.")

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes imported kapok oil would compete with domestic butter, lard, hydrogenated peanut, corn, and soybean oils. For salad oil it would be competitive with cottonseed, peanut, soybean, and olive oils.

SOAP MAKING

Competitive for this purpose with domestic oils and fats, both vegetable and animal, such as lard, tallow, hardened fish, whale, cottonseed, soybean, peanut, and corn oils, etc.

CANDLE MAKING

The higher melting fatty acids obtained from domestic kapok oil are in competition with similar foreign products obtained from various foreign oils and fats and solid animal fats, such as Borneo tallow, illipe fat, and similar solid high-melting fats. Imported kapok oil would also be competitive with domestic tallow for this purpose.

TURKEY RED OILS

It would be competitive for this purpose with domestic castor oil, fish, liver, and body oils.

RUBBER SUBSTITUTES

It would be competitive for this purpose with domestic soybean oil.

LARD

Uses

EDIBLE PURPOSES

Used in manufacture of margarine.

"Used for cooking purposes." (Andes, Animal Fats and Oils, p. 151; Hilditch, pp. 114, 116; Fryer and Weston, p. 167; Lewkowitsch, vol. 2, pp. 691-754.)

SOAP MAKING

"Used for soap making." (Andes, Animal Fats and Oils, p. 151; Hilditch, p. 116; Fryer and Weston, vol. 1, p. 167; Lewkowitsch, vol. 2, pp. 691-754.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and as a cooking fat, domestic lard is in competition with a large number of foreign oils, such as hydrogenated whale, fish, sunflower, poppy seed, peanut, soybean, cottonseed, corn, and many other oils; also with foreign fats, such as coconut oil, palm oil, palm-kernel oil, etc. Lard if imported would be competitive not only with the domestic product but with domestic hydrogenated peanut, whale, fish, cottonseed, soybean, and corn oils; also with butter and edible tallow.

FOR SOAP MAKING

Domestic lard for this purpose is competitive with foreign fats, such as coconut, palm, and palm-kernel oils, and other fats; also with foreign hydrogenated whale, fish, sunflower, poppy seed, cottonseed, soybean, peanut, and corn oils, etc. If imported for this purpose, foreign lard would be competitive with the domestic product and with tallow, hydrogenated whale, fish, cottonseed, corn, peanut, and soybean oils.

LINSEED OIL

Obtained from flaxseed.

Uses

PAINTS AND VARNISHES

"Used in paints and varnishes." (Lewkowitsch, vol. 2, pp. 45-72; Hilditch, p. 110; Mitchell, p. 64; Chalmers, p. 6; Gill, p. 110; Laucks, p. 33; Martin, vol. 1, p. 12; Lamborn, p. 61; Elsdon, pp. 170-171; Andes, p. 127.)

LINOLEUM, OILCLOTH, ETC.

"It is the principal raw material of the linoleum and oilcloth industry." (Chalmers, p. 6; Lewkowitsch, vol. 2, p. 71; vol. 3, p. 199; Laucks, p. 33; Martin, vol. 1, p. 12; Lamborn, p. 61; Hilditch, p. 110.)

SOAP MAKING

"Linseed oil is very extensively used as stock material for soft soaps * * *." (Lewkowitsch, vol. 2, p. 71; Laucks, p. 33; Martin, vol. 1, p. 12; Lamborn, p. 60; Hilditch, p. 110; Gill, p. 110.)

"Hardened linseed oil can be utilized in soap making. Wilhelmus (Seifen, Ztg. (1914) 257) describes its use, recommending the use of about 40 per cent of hydrogenated linseed oil and the addition of peanut oil and castor oil." (Ellis, pp. 388-389.)

"Hardened linseed oil is 'suitable for any kind of soap, be it laundry or toilet soap.'" (Ellis, p. 394; Schuck, p. 419; Soap Gazette and Perfumer, 1914.)

"By polymerizing and hydrogenation, linseed oil may be prepared for making soap with good lathering qualities." (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-397.)

"Used for soap making." (Andes, p. 127.)

RUBBER SUBSTITUTES

"When sulphonated it is used in the manufacture of rubber substitutes." (Chalmers, p. 6; Lewkowitsch, vol. 2, p. 71; Gill, p. 110; Laucks, p. 33.)

"Used in the manufacture of rubber substitutes, and therefore competitive with rapeseed, wood, cottonseed, and castor oil for this use." (Holde, p. 509.)

EDIBLE PURPOSES

"Most of the oil is used in the manufacture of paints and varnishes, but it is also a valued edible oil in certain countries, notably Poland and parts of Russia." (Mitchell, p. 64.)

"On pressing linseed in the cold, a golden, yellow colored oil is obtained which has a pleasant taste, so that it can be used as an edible oil. Considerable quantities are being expressed for this purpose in Russia, Hungary, Germany, and India. In some parts of Germany the oil is used either as such (as 'Leinolschmalz') or in admixture with tallow or (and) lard for edible purposes. * * * By far the largest quantities of oil are, however, employed in the arts." (Lewkowitsch, vol. 2, p. 57.)

"In some parts of Germany beef-suet substitutes prepared from linseed oil and tallow, or linseed oil, tallow, and lard, have been brought into commerce under the name of 'Linseed oil lard' ('Leinolschmalz')." (Lewkowitsch, vol. 3, p. 31.)

"Used for alimentary purposes, same as olive oil and solid fats." (Andes, p. 127.)

ADULTERANTS

"The principal substances used to adulterate linseed oil are rosin, cottonseed oil, fish oils, and rapeseed oil." (Mitchell, p. 65.)

"Adulterants: Corn, cottonseed, fish, and rosin oils." (Gill, p. 110.)

"Oils which may be used as adulterants of linseed oil are candlenut oil, safflower oil, sunflower oil, soybean oil, walnut oil, poppyseed oil, cottonseed oil, rapeseed oil, fish oil, and blubber oil." (Lewkowitsch, vol. 2, p. 70; Chalmers, p. 6.)

"When the price of linseed oil is high, cheaper oils are extensively added as adulterants." (Lewkowitsch, vol. 2, p. 70.)

"Hempseed oil is a frequent constituent of linseed oil, owing to the admixture of hempseed with linseed before reaching the crushing mills." Wright and Mitchell, p. 568.)

"Train oil, rape oil, hempseed oil, camelina oil, and, of late years, rosin oil and mineral oils, have been used to adulterate linseed oil." (Andes, p. 126.)

"The following oils are substitutes for linseed oil: Perilla oil, Chinese wood or tung oil, cottonseed oil, soybean oil, fish oils, other semidrying oils." (Laucks, p. 34.)

Possible substitution or interchangeability

PAINTS AND VARNISHES

Domestic linseed oil is in competition with foreign oils, such as perilla, tung, hempseed, n'gart, lumbang, etc. Imported linseed oil competes with domestic products and also with domestic menhaden oil.

LINOLEUM

Domestic linseed oil is in competition with foreign oils, such as perilla, tung, hempseed, n'gart, lumbang, etc. Imported linseed oil competes with domestic products and also with domestic menhaden oil.

SOAP MAKING

When hydrogenated domestic linseed oil is competitive with all other soap materials in making hard soaps, including such foreign oils as coconut, palm kernel, Borneo tallow, palm, hydrogenated fish, whale oil, etc.

Imported linseed oil, when hydrogenated, not only competes with the domestic product but with other domestic oils and fats yielding hard soaps, such as cottonseed, olive, peanut, hydrogenated fish and whale oils.

For soft soaps domestic linseed oil is competitive with foreign drying oils, such as perilla, lumbang, walnut, poppy seed, tung, n'gart, etc.

Imported linseed for this purpose is competitive with domestic drying oils, such as soybean, menhaden, herring, etc.

RUBBER SUBSTITUTES

Imported linseed oil for this purpose competes with domestic oils, such as soybean, cottonseed, and corn oils.

MENHADEN OIL

Obtained from the body of the fish *Alosa menhaden*.

Uses

TREATMENT OF LEATHERS

"Used in currying leather." (Lewkowitsch, vol. 2, p. 426; Gill, p. 141; Wright and Mitchell, p. 593; Fryer and Weston, vol. 1, p. 100.)

SOAP MAKING

"Used in soap making." (Lewkowitsch, vol. 2, p. 426; Laucks, pp. 73-74; Andes, Animal Fats and Oils, p. 228; Fryer and Weston, vol. 1, p. 100.)

PAINTS

"Used to adulterate linseed oil and other paint oils." (Laucks, pp. 73-74; Toch, p. 225; Elsdon, p. 438; Lewkowitsch, vol. 2, p. 426; Gill, p. 141; Wright and Mitchell, p. 593; Fryer and Weston, vol. 1, p. 100.)

"Used for paints." (Martin, Industrial Chemistry, p. 26; Andes, Animal Fats and Oils, p. 228.)

"Refined menhaden oil has been in use for many years as a constituent of the liquid part of certain types of paint." (Mem. S-114, Bureau of Fisheries, U. S. Dept. of Commerce, Washington.)

"Menhaden oil stands the weather much better than linseed oil, especially when applied to tin roofs and ironwork. Owing to its glutinous nature, it is harder to apply than linseed oil, and consequently workmen do not always favor its adoption." (Aquatic Products in Arts and Industries, by C. H. Stevenson, Mem. S-49, Bureau of Fisheries, U. S. Dept. of Commerce, Washington.)

"Replaces linseed oil for many purposes; used in certain paints which are exposed either to the hot sun or on hot surfaces." (Toch, p. 225.)

LINOLEUM

"Used in linoleum industry as substitute for linseed oil." (Laucks, pp. 73-74; Toch, p. 225; Fryer and Weston, vol. 1, p. 100; Lewkowitsch, vol. 2, p. 426.)

TEMPERING STEEL

"Used in tempering steel." (Fryer and Weston, vol. 1, p. 100; Andes, Animal Fats and Oils, p. 228; Lewkowitsch, vol. 2, p. 426.)

RUBBER SUBSTITUTES

"Used in making rubber substitutes." (Laucks, pp. 73-74; Lewkowitsch, vol. 2, p. 426.)

Possible substitution or interchangeability

FOR TREATMENT OF LEATHER

Competes with other imported and domestic fish oils such as herring, sardine, etc., and also vegetable oils, such as castor oil.

SOAP MAKING

When hydrogenated, menhaden oil competes with most of the other soap oils and fats.

FOR PAINTS

Competes to only a small extent with other drying oils, such as linseed, perilla, tung, n'gart, lumbang, soybean, etc.

FOR LINOLEUM

Competes with linseed and perilla oils.

FOR RUBBER SUBSTITUTES

Competes with linseed, corn, cottonseed, castor oils, etc.

OLEO OIL

Obtained from beef or mutton fats.

Uses

EDIBLE PURPOSES

"Used for the manufacture of margarine." (Myddleton and Barry, p. 143; Lewkowitsch, vol. 3, pp. 32-33; Hilditch, p. 117; Elsdon, p. 357.)

SOAP MAKING

"Used in soap making." (Hilditch, p. 117; Lamborn, p. 37.)

LUBRICANT

"Used as a lubricant." (Hilditch, p. 117.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes foreign oleo oil would be competitive with domestic oils and fats, such as tallow, butter, neutral lard, cottonseed oil, soybean oil, and peanut oil. Domestic oleo oil is competitive with foreign oils and fats, such as coconut, palm-kernel, hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Imported oleo oil is competitive for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc. Domestic oleo oil is competitive for this purpose with foreign soap materials, such as coconut, palm, palm-kernel, hydrogenated fish and whale oils, etc.

OLEO STEARIN

Obtained from beef or mutton tallow.

Uses

EDIBLE PURPOSES

"Beef stearin is used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, pp. 32-33.)

"Beef stearin is used in the manufacture of margarine." (Elsdon, p. 357.)

SOAP MAKING

"Used for soap making." (Hilditch, p. 117.)

CANDLE MAKING

"Used for candle making." (Hilditch, p. 117.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes foreign oleo stearin is competitive with domestic oils and fats, such as tallow, butter, neutral lard, cottonseed oil, soybean oil, and peanut oil. Domestic oleo stearin for this purpose in competition with foreign coconut, palm-kernel, hydrogenated whale and fish oils, etc.

FOR SOAP MAKING

Foreign oleo stearin competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc. Domestic oleo stearin for this purpose is competitive with foreign coconut, palm, palm-kernel, hydrogenated whale and fish oils, etc.

OLIVE OIL

Uses

EDIBLE PURPOSES

"The oil derived from the first pressing of the fruit is almost invariably used for edible purposes. A second or third pressing is commonly adopted." (Chalmers, p. 8; Martin, p. 57.)

"The first pressed oil is always sold as an edible oil." (Martin, p. 57.)

"The finest grades of oil, known as virgin oil (*huile de vierge*), Provence oil or Aix oil, and Tuscan cream oil, are employed for alimentary purposes, the inferior qualities serving for illumination, as lubricants, and for soap making." (Andes, p. 47.)

"Used by ancient Greeks and other Mediterraneans as a substitute for butter and animal fats." (Elsdon, p. 267.)

"Used for edible purposes." (Martin, vol. 1, p. 9; Holde, p. 368; Gill, pp. 125-126; Chalmers, p. 8; Elsdon, p. 269; Laucks, p. 65; Martin, p. 130; Andes, p. 52; Lewkowitsch, vol. 2, pp. 376-377; Hilditch, p. 100.)

SOAP MAKING

"A second or third pressing of the fruit is commonly adopted. The oil so obtained is used for soap making, etc." (Chalmers, p. 8.)

"Used for soap making." (Gill, pp. 125-126; Chalmers, p. 8; Martin, vol. 1, p. 9; Andes, p. 52; Lewkowitsch, vol. 2, pp. 376-377; Laucks, p. 65.)

"The oil produced by chemical treatment of the press cake is usually taken up by the soap trade, and its color and odor readily distinguish it from the oils obtained by the application of pressure." (Lamborn, p. 59.)

"The yield of oil from press cake by the solvent-extraction process averages 10 per cent; by the water-extraction process only about one-half as much. The oil recovered as described, either alone or in admixture with inferior grades of the second pressed oil comes into trade as 'olive oil foots.' To distinguish it from the comestible oil it is called industrial olive oil." (Lamborn, pp. 59-60.)

"The finest grades of oil, known as virgin oil (*huile de vierge*), Provence oil, or Aix oil, and Tuscan cream oil, are employed for alimentary purposes, the inferior qualities serving for illumination, as lubricants, and for soap making." (Andes, p. 47.)

"High-class medicinal soaps are made chiefly from the best commercial olive oils. Textile soaps of the best quality such as soaps for degumming silk and for washing best woolen cloth are made from bright commercial oils. Soaps for these purposes are either hard or soft. Calico printers require for the best class of goods soaps made exclusively from olive oil. For textile soaps (as also for household soaps in the south of Europe) the high-acid Bagassa oils, 'olive-oil grease,' and sulphur olive oils are used." (Lewkowitsch, pp. 376-377, vol. 2.)

"The intermediate grades of oil are used in the manufacture of high-grade toilet and other soaps, whilst the lowest grade of sulphur-olive oil, which are usually high in free acidity and deep green in color, are also employed for the cheaper brands of toilet soap and Castile soap. They would provide excellent high-class soap-making materials if the deep color could be effectively removed." (Hilditch, p. 100.)

LUBRICATION

"A second or third pressing of the fruit is commonly adopted. The oil so obtained is used for soap making and for lubricating and burning purposes, for olive oil is a nondrying oil." (Chalmers, p. 8; Martin, p. 57.)

"The inferior qualities are employed as lubricants." (Andes, pp. 47, 52; Chalmers, p. 8; Laucks, p. 65; Lewkowitsch, vol. 2, pp. 376-377.)

MEDICINAL PURPOSES

"Medicinal and cosmetic." (Andes, p. 52.)

TURKEY-RED OIL

"Used in the manufacture of Turkey-red oil." (Holde, pp. 480-481; Andes, p. 52; Lewkowitsch, vol. 3, p. 207.)

"Tournant oil (Turkey-red oil) is a product obtained from fermented olives, containing a very large percentage of free acid, on which account it has the property of forming an extremely perfect emulsion when agitated with soda solution." (Andes, p. 47.)

AS A BURNING OIL

"A second or third pressing of the fruit is commonly adopted. The oil so obtained is used locally for burning purposes." (Martin, p. 57; Chalmers, p. 8; Lewkowitsch, vol. 2, pp. 376-377; Laucks, p. 65; Gill, pp. 125-126.)

ADULTERATION

"Adulterants: Cottonseed, peanut, rape, sesame, poppy seed, and lard." (Gill, pp. 125-126.)

"Adulterants: Many methods of adulterating olive oil are practiced, cottonseed oil, sesame oil, and ground-nut oil being used in the alimentary oils, and hemp oil, linseed oil, rape oil, and mineral oils for technical purposes."

"According to Deite, cottonseed oil is extensively used as an adulterant, and is, moreover, extremely difficult of detection." (Andes, p. 49.)

"Oils that are usually employed to adulterate olive oil are sesame, rape, cottonseed, soybean, poppy seed, arachis (peanut), and lard oils." (Chalmers, p. 8.)

"The oils which have been used to adulterate or substitute olive oil have included arachis (peanut), rape, cottonseed, sesame, soybean, poppy seed, maize oil, sunflower oil, lard oil, and mineral oil." (Elsdon, p. 272.)

"In addition to the oils mentioned above some other oils which closely resemble olive oils may be used as adulterants or substitutes. These are carnel oil, calumpang-nut oil (Java olive oil), cashew-kernel oil, and tea-seed oil. The detection of these oils is difficult." (Elsdon, p. 274.)

PALM OIL

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For salad oil domestic olive oil is in competition with imported olive, sesame, poppy seed and sunflower oils, etc.; imported olive oil competes also with domestic peanut, cottonseed, soybean, and sunflower oils.

For butter substitutes and lard substitutes olive oil is not used, on account of its high price as compared with other available materials, but it could be so used.

FOR SOAP MAKING

Competitive for this purpose with all other soap-making fats and oils. The domestic olive oil is competitive for this use with such foreign oils and fats as coconut, palm, palm-kernel, sesame, and rape oils, hydrogenated fish and whale oils, etc.; imported olive oil is competitive for this purpose not only with domestic olive oil, but also with domestic tallow, lard, hydrogenated fish and whale oils, and castor, soybean, peanut, and cottonseed oils, etc.

FOR LUBRICATION

Competitive for this purpose with blown rape oil, neat's-foot oil, lard oil, and light mineral oils.

"Obtained from the outer envelope and flesh of the seed of the palm (*Elaeis guine*), which is abundant on the West Coast of Africa (Gambia, Gold Coast, Cameroons, Calabar, etc., Sierra Leone, Loango) and also in Brazil." (Elsdon, p. 319.)

Uses

EDIBLE PURPOSES

"Used for the manufacture of margarine. (Myddleton and Barry, p. 143; Hilditch, p. 251.)

"When hydrogenated it is recommended for use in edible fat products." (Ellis, United States Patent No. 1087161, February 17, 1914.)

"Used as a culinary fat in West Africa." (Lewkowitsch, vol. 2, p. 558; Laucks, pp. 86-87.)

"Refined, deodorized palm oil is now produced for edible purposes and forms an almost colorless, somewhat dull-looking soft fat which is pleasant to the palate and finds increasing use with bakers and biscuit manufacturers, whilst it is also blended as a component of margarine by some makers." (Hilditch, pp. 259-260.)

"It differs very markedly from the kernel fat in its composition and properties; whilst the kernel fat is relatively brittle, the pericarp oil is of the consistency of a hard butterfat or soft tallow, and much resembles the latter in its composition (palmitic, oleic, and some stearic acid, very little myristic acid, and no acids of lower molecular weight than the latter." (Hilditch, p. 94.)

"The cruder qualities of present-day palm oil, which contain most free fatty acid and are of a harder texture and dull yellow-brown in color, are termed 'Congo palm oil,' or 'hards,' the name having originally been given to the inferior types of native-produced palm oil. Better qualities of the native-produced oil, 'softs,' containing 12.20 per cent free fatty acid, were known as Lages, Ronny, Benin, etc., palm oils and were softer fats of a clearer, bright reddish tint." (Hilditch, pp. 94-95.)

"The oil is used extensively both for edible fat and for soap, its characteristic color, due to minute proportions of carotin and zantho-

phyll, being usually removed by blanching processes of various types (of., Sec. III, Chap. II); it is also used in the tin-plate industry as a protective coating against atmospheric oxidation of the hot metal" (Hilditch, p. 95).

SOAP MAKING

"For soap making." (Schaal; Ellis, p. 366; Chalmers, p. 9; Gill, pp. 136-137; Lewkowitsch, vol. 2, p. 562; Lamborn, p. 73; Martin, vol. 1, p. 8; Laucks, pp. 86-87; Hilditch, pp. 94-95; Mitchell, p. 769.)

CANDLE MAKING

"Used in the manufacture of candles." (Holde, p. 440; Chalmers, p. 9; Gill, pp. 136-137; Lewkowitsch, vol. 2, p. 562; Laucks, pp. 96-97.)

"Used as an adulterant of beef and mutton tallow in making of candles." (Holde, p. 443.)

TIN-PLATE INDUSTRY

"Palm-oil grease used in the tin-plate industry has cottonseed and mineral oil admixed." (Laucks, pp. 86-87.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes it is in competition with domestic oils and fats, such as tallow, butter, neutral lard, cottonseed oil, soybean oil, and peanut oil.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

FOR TIN-PLATE INDUSTRY

Competes with domestic hydrogenated cottonseed oil.

PALM-KERNEL OIL

Obtained from the inner kernel of the seed of *Elaeis guineensis* and a few other palm trees.

"Some of the these fats (palm oils and palm-kernel oils) are already extensively used as edible fats, whilst others will probably be used in this way before long. The close similarity in the characteristics of these palm fats makes it practically impossible to determine the origin of a given fat of this type. The most that can be said is that it belongs to a certain class of fats." (Wright and Mitchell, p. 628.)

Uses

EDIBLE-PURPOSES

"Used in the manufacture of margarine." (Lewkowitsch, vol. 3, pp. 33-58; vol. 2, 633, 635, 651; Chalmers, p. 9; Hilditch, p. 251.)

"Used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, p. 58.)

"Providing that the exported kernels have been maintained under reasonably dry and cool conditions prior to fat extraction, the resulting crude fat is almost white in color and contains not more than 5 per cent free fatty acids; large quantities of this quality of palm-kernel oil are produced and used in the edible fat industry." (Hilditch, p. 94.)

"It closely resembles coconut oil in its general composition but contains a somewhat lower proportion of the glycerides of the lower fatty acids. * * * (Mitchell, p. 86.)

"When mixed with other fats it is difficult to distinguish palm-kernel oil from coconut oil." (Mitchell, p. 86.) "Both are used in the preparation of margarine." (Mitchell, p. 86.)

"This oil in a fresh condition is largely used in the manufacture of margarine, and to a considerable extent, when suitably treated, in the manufacture of chocolate. The poorer qualities and the extracted oil are suitable for soap, candle, and paint making." (Chalmers, p. 9.)

"Palm-nut stearin is prepared from palm-nut oil by pressure and is employed in the manufacture of margarine." (Andes, p. 163.)

SOAP MAKING

"Nuts of inferior quality yield somewhat dull colored fats which contain more free fatty acid and possess a characteristic musty odor; the fat from these nuts, however, together with the mixed soap and oil resulting from treatment of the better oils for edible purposes, provides soap-making material of excellent quality." (Hilditch, p. 94.)

"Palm-kernel oil is very nearly related in its chemical composition to coconut oil. * * * Palm-kernel oil is largely used for soap making, chiefly in admixture with other oils and fats. Like coconut oil, it is eminently suitable for the manufacture of soaps by the cold process." (Lewkowitsch, pp. 633-635, vol. 2.)

"Used in the manufacture of soap." (Schaal, p. 366; Ellis; Lamborn, p. 74; Andes, p. 163; Chalmers, p. 9; Martin, vol. 1, p. 9; Wright and Mitchell, p. 769.)

"Palm-kernel oil is practically indistinguishable in appearance and properties from coconut oil to which it is so closely allied in composition." (Elsdon, pp. 345, 336.)

CANDLE MAKING

"Used in the manufacture of candles." (Lewkowitsch, vol. 2, p. 651; Andes, p. 163; Chalmers, p. 9.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oils, etc.

PEANUT OIL (ARACHIS OIL)

Obtained from kernels of nuts—*Arachis hypogaea*, a creeping herb, whose nuts are variously known as arachis nuts, peanuts, earthnuts, groundnuts, monkeynuts, and which are cultivated principally in Japan, China, India, West Africa, South America, United States of America, West Indies.

Preparation: By the cold pressing of the common peanut, a colorless, pleasant-tasting oil is obtained, which is used as a salad oil; a second pressing yields an oil of inferior quality, used as an edible and burning oil; a third pressing at a higher temperature yields a grade employed in soap making.

Uses

EDIBLE PURPOSES

"Used for edible purposes." (Lewkowitsch, vol. 1, p. 307; vol. 2, p. 314; Lamborn, p. 76; Martin, Vol. I, p. 10; Hilditch, p. 101.)

The cold-drawn oil is used as salad oil.

"The best qualities have a bland nutty flavor which is quite pleasant and which makes them a satisfactory edible oil. The oil is used as a salad oil and for packing tinned fish." (Elsdon, p. 258.)

"Arachis oil may be converted into a hard white fat by catalytic hydrogenation." (Elsdon, p. 265.)

"Used as edible fat in margarine." (Bontoux, Matieres Grasses, 1914, p. 4194; Siefen, Ztg. 1914, p. 987; Laucks, p. 60.)

"Edible oil." (Thomas & Muller, Arch. Hyg., 84, 56-77, 1915; Chem. Abs. 1915, p. 1642; Elsdon, p. 257.)

"Used for the manufacture of margarine." (Myddleton and Barry, p. 143; Holde, p. 368.)

"It is one of the most prominent oils used in the manufacture of margarine." (Lewkowitsch, vol. 3, p. 33.)

"It is used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, p. 58.)

"The cold-drawn oil is very pale yellow, and is largely used for edible purposes. It is less liable than olive oil to become rancid." (Wright and Mitchell, p. 472.)

"The oil is regarded as equal to olive oil, and it may be employed for every purpose to which that oil is employed." (Lamborn, p. 76.)

SOAP MAKING

"The third quality expressed at the highest temperature is chiefly used for soap making." (Lewkowitsch, vol. 2, p. 314.)

"The second and subsequent yields are used for lubricating purposes, and in the manufacture of Castile soap, of which a large quantity is made at Marseilles from the oil of African nuts." (Wright and Mitchell, p. 472.)

"Peanut-oil soap is the basis of the famous Marseilles white soap. Cottonseed oil is used only in default of peanut oil or when the price is against the latter." (Lamborn, p. 76.)

Technical use: "Soap making, etc." (Andes, pp. 58-60.)

The Indian oil, coromandel and Mozambique oils are mainly used as soap oils.

"For soap." (Schaal; Ellis, p. 366; Andes, pp. 58-60; Elsdon, p. 257; Lamborn, p. 76; Lewkowitsch, vol. 2, pp. 329-330; Laucks, p. 60; Martin, vol. 1, p. 10; Hilditch, p. 101.)

"Peanut oil added to linseed oil may be used for producing soap." (Wilhelmus-Seifen, Ztg. (1914), p. 257; Ellis, pp. 388-389.)

AS A BURNING OIL

"The oil obtained by second expression also serves for edible purposes and for burning." (Lewkowitsch, vol. 2, p. 314.)

"Used as a burning oil." (Gill, p. 122; Hilditch, p. 101.)

"As a lighting fluid it lasts a long time, but does not give as clear a light as other burning oils." (Lamborn, p. 76.)

RUBBER SUBSTITUTES

"Used in the manufacture of rubber substitutes." (Lewkowitsch, vol. 3, pp. 202-203.)

TURKEY-RED OIL

"Used in the production of Turkey-red oil." (Lewkowitsch, vol. 3, p. 207.)

LUBRICANT

"An edible oil, but is principally used as a lubricating oil for oiling wool, etc." (Lewkowitsch, vol. 1, p. 307.)

"Used as a lubricant." (Elsdon, p. 257; Wright and Mitchell, p. 472.)

ADULTERATION

"It is used to adulterate olive oil." (Lewkowitsch, vol. 2, p. 328; Andes, pp. 58-60; Mitchell, p. 58; Laucks, p. 60.)

"Arachis oil is not infrequently adulterated with poppy seed, sesame, cottonseed, and rape oils." (Lewkowitsch, vol. 2, p. 329.)

"They are largely employed for adulterating or even wholly substituting olive oils. Also for blending with olive oils; thus the Valencia oil is specially known to be mixed with Andalusian olive oil in order to neutralize the harsh flavor of the latter." (Lewkowitsch, vol. 2, pp. 329-330.)

"Although arachis oil has been largely used to adulterate olive oil, it is itself liable to adulteration with other seed oils which happen to be cheaper at the moment. In the past sesame, cottonseed, poppy seed, rape, have been used for this purpose, and the recurrence of the use of these and similar oils for this purpose is not unlikely." (Elsdon, p. 265.)

"Adulterants: Cottonseed, rape, sesame, and poppy-seed are used to adulterate this oil." (Gill, p. 122.)

"Among the oils which are known to have been used to adulterate earthenut oil (peanut) are cottonseed, sesame, rapeseed, fish, and mineral oils." (Wright and Mitchell, p. 470.)

"The oil is regarded as equal to olive oil, and it may be employed for every purpose to which that oil is employed. It is sweet, palatable, and clear, and, in fact, great quantities are used, unknown to the consumer, instead of olive oil. In India, Europe, Brazil, and this country it is used medicinally in place of olive oil, and it is also employed by manufacturers as a substitute for the latter in fulling cloth." (Lamborn, p. 76.)

"Groundnut (peanut) oil is occasionally adulterated with poppy oil, sesame oil, and cottonseed oil." (Andes, p. 60.)

Possible substitutions or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes imported peanut oil when hydrogenated would compete with domestic hydrogenated oil, such as corn, cottonseed, soybean, and sunflower oils, hydrogenated whale and fish oils; also domestic lard, butter, and tallow.

Domestic peanut oil for this purpose would compete with foreign oils and fats, such as coconut, palm-kernel, hydrogenated fish and whale oils, etc.

As a salad oil peanut oil competes with the following salad oils: Corn, cottonseed, sunflower, olive, etc.

FOR SOAP MAKING

Imported peanut oil is competitive for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, palm, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc. Domestic peanut oil is in competition for this purpose with foreign soap materials, such as coconut, palm, palm-kernel, hydrogenated whale, and fish oils, etc.

PERILLA OIL

"Obtained from the seed of *Perilla ocymoides*, a plant which grows wild in Japan, China, and India." (Andes, p. 150.)

Uses

PAINTS AND VARNISHES

"In Japan it is used for mixing with the cheapest kind of lacquer (as much as 30 per cent of oil being used) for the preparation of paper umbrellas, lanterns, and artificial leather. It also finds extensive employment in the manufacture of printer's ink, paints, and varnishes." (Lewkowitsch, vol. 2, p. 45.)

"Perilla oil, however, although it can be used in its raw state owing to its peculiar property of forming drops on a painted surface, may in conjunction with a suitable dryer form a satisfactory substitute for boiled linseed oil." (Lewkowitsch, vol. 3, p. 145.)

"Has greater drying power than linseed oil." (Holde, p. 429.)

Used as an adulterant of lacquer in Japan.

Dries quicker than linseed oil.

"H. O. Gardner (Paint Researches, 1917, p. 322) reports favorably on the use of perilla oil in paints and linoleum. Adequate polymerization will much reduce the tendency of films to discolor. The authors consider that it is a valuable substitute for linseed oil, possessing in many ways superior properties." (Morrell and Wood, pp. 57-58.)

"This oil when spread in thin layers dried in 144 hours as compared with raw linseed oil in 96 hours; after boiling at 250° C. 7 hours, however, it dried in 48 hours, and when boiled with 3 per cent of lead manganese resinate at 150° C. it dried in 4 hours, as compared with linseed oil similarly treated, which dried in 10 hours." (Andes, p. 150.)

"This oil is used in the East as an edible oil; also for varnish purposes. It is likely to come into more extended use in the future." (Andes, p. 151.)

"Used in varnishes and paints." (P. 30, Laucks; p. 570, Wright and Mitchell.)

ARTIFICIAL LEATHER

"Used in preparation of artificial leather." (Laucks, p. 30; Wright and Mitchell, p. 570.)

PRINTER'S INK

"Used in manufacture of printer's inks." (Laucks, p. 30; Lewkowitsch, vol. 2, p. 45; Wright and Mitchell, p. 570.)

EDIBLE PURPOSES

"Both oil and cake are edible." (Morrell and Wood, pp. 57-58.)

"In India, China, Manchuria, and in Japan the oil is used for edible purposes." (Lewkowitsch, vol. 2, p. 45; Elsdon, pp. 179-180; Andes, p. 151; Wright and Mitchell, p. 570.)

LINOLEUM

"Can be substituted for linseed oil in manufacture of linoleum." (Gardner, H. O., Paint Researches, 1917, p. 322; Morrell and Wood, pp. 57-58.)

ADULTERATION

"Perilla oil can be used with advantage to dilute tung oil." (Morrell and Wood, pp. 57-58.)

Possible substitution or interchangeability

FOR PAINTS AND VARNISHES

Competes for this purpose with domestic oils such as linseed, soybean, walnut, and tung oils.

FOR PRINTER'S INK

Competes for this purpose with domestic linseed oil.

FOR LINOLEUM

Competes for this purpose with domestic linseed oil.

POPPY-SEED OIL

Obtained from the seeds of the poppy (*Papaver somniferum*, L.). "The poppy is indigenous to the eastern Mediterranean countries, but has been from ancient times cultivated on a large scale in many parts of Europe, Asia, and Africa, and more recently in North America and Australia (New South Wales), partly for opium and partly for its oleaginous seeds." (Andes, p. 127.)

EDIBLE PURPOSES

"It is in common use as a salad oil." (Mitchell, p. 68; Chalmers, p. 11; Gill, p. 116; Lotter, Jour. Soc. Chem. Ind., 1895, p. 168.)

"Used as edible oil." (Laucks, p. 46.)

"Used for edible purposes like olive oil and fats." (Andes, p. 129.)

PAINTS AND OIL COLORS

"Poppy-seed oil as a drying oil is about like soybean oil." (Holde, p. 427.)

"It is much used for making oil colors." (Holde, p. 429; Gill, p. 116; Chalmers, p. 11; Laucks, p. 46; Andes, p. 129.)

"A mixture of equal volumes of sun-bleached poppy-seed oil and bleached boiled poppy-seed oil is extensively used for white pigments." (Lotter, Jour. Soc. Chem. Ind., 1895, p. 168.)

"A good drying oil, especially for artists' colors." (Elsdon, p. 182.)

"The inferior grades are used for paints." (Chalmers, p. 11.)

SOAP MAKING

"Used also in soap making." (Lewkowitsch, vol. 2, pp. 121-127; Wright and Mitchell, p. 769; Andes, p. 129.)

"The inferior grades are used for soft soaps." (Chalmers, p. 11.)

ADULTERATION

"Also used as an adulterant of olive oil." (Mitchell, p. 68; Laucks, p. 46.)

"Poppy-seed oil is in its turn fraudulently added to olive oil. * * * It is also used to adulterate peach-kernel oil." (Lotter, Jour. Soc. Chem. Ind., 1895, p. 168.)

"Adulterants: The chief adulterant is sesame oil detected by the lower iodine value and Baudouin test." (Gill, p. 116.)

"According to Cloez, poppy oil closely resembles linseed oil (q. v.) in its elementary composition, both in the fresh and oxidized condition." (Wright and Mitchell, p. 572.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For salad oil, poppy-seed oil competes with domestic olive, cottonseed, corn, and peanut oils.

FOR PAINTS AND COLORS

Competes with domestic linseed oil.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

RAPE OIL

(Rapeseed oil, Colza oil)

Rape oil is obtained from rapeseed—the seeds of *Brassica napus* L., *Brassica campestris* D. C., and *Brassica rapa* L.; grows in India and in most European countries.

Uses

LUBRICATION

"By polymerizing and hydrogenation, rapeseed oil can be prepared for use as a lubricant." (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-397.)

"Rapeseed oil when blown has the consistency of castor oil and is soluble in mineral lubricating oils and in naphtha." (Holde, pp. 500-501.)

"Enormous quantities of rape oil are used for lubricating both in the refined state and as 'blown rape' oil." (Lewkowitsch, vol. 2, p. 271.)

"Used for lubrication." (Holde, p. 368; Gill, pp. 119-120; Wright and Mitchell, p. 504; Chalmers, p. 10; Elsdon, pp. 226-230; Andes, p. 94; Laucks, p. 56.)

SOAP MAKING

"By polymerizing and hydrogenation, rapeseed oil can be prepared for making soap with good lathering qualities." (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-397.)

"Smaller quantities are used on the Continent for the making of soft soap, but as a rule rape oil can hardly be termed a suitable soap-making oil." (Lewkowitsch, vol. 2, p. 271.)

RUBBER SUBSTITUTES

"By polymerizing and hydrogenation, rapeseed oil can be prepared for sulphonating." (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-397.)

"Used in the manufacture of rubber substitutes." (Lewkowitsch, vol. 3, pp. 202-203; Laucks, p. 56.)

"Rapeseed oil is used in the manufacture of rubber substitutes and therefore competitive with linseed, wood, cottonseed, and castor oils for this purpose." (Holde, pp. 500-501.)

EDIBLE PURPOSES

"This subgroup of the 'nondrying oils' comprises various commercial oils obtained from different species of the Brassica family; they all contain notable proportions of the glyceride of erucic acid, C22, H42, O2, and are employed as edible oils, illuminants, and lubricants." (Hilditch, p. 102.)

"Used for edible purposes, particularly the better grades of oil." (Hilditch, p. 102; Chalmers, p. 10; Elsdon, pp. 226-230; Andes, p. 92; Laucks, p. 56.)

"The oil comes on the market in several qualities, e. g., colza oil for salad and edible oil and for lamps, and rape oil of somewhat lower quality used as illuminant and lubricant; whilst rapeseed oil or Danubian rape oil is held in general as slightly inferior to rape oil, and finally Jamba rape oil, from an East Indian source, is liable to contain organic sulphur compounds and is usually classified as a low-grade rape oil." (Hilditch, p. 102.)

"To a small extent, rape oil when obtained by 'cold drawing' is used for edible purposes, notably by bakers in the production of bread." (Chalmers, p. 10.)

"Cold-drawn rape oil is used as an edible oil, especially in India. It is also used as an edible oil on the Continent and in this country as bread oil." (Lewkowitsch, vol. 2, p. 264.)

ILLUMINANT OR BURNING OIL

It is used as a burning oil. (Gill, pp. 119-120; Holde, p. 368; Wright & Mitchell, p. 504; Chalmers, p. 10; Elsdon, pp. 226-230; Andes, p. 94; Laucks, p. 56; Hilditch, p. 102.)

ADULTERATION

Blown rapeseed oil is competitive with blown castor oil and blown cottonseed oil.

"The constants of blown rapeseed oil and blown cottonseed oil may be the same." (Holde, pp. 500-501.)

"Rape oil is largely adulterated, according to market prices, with one or more of the following fatty oils: Linseed (hempseed), poppy seed, cameline, cottonseed, rapeseed, mustard oils, and also with a refined fish and blubber paraffin, and rosin oils are also frequently fraudulently used." (Lewkowitsch, vol. 2, p. 268.)

"Sometimes adulterated with cheaper oils, such as linseed, cottonseed, mineral, and fish oils." (Laucks, p. 56.)

"Among the oils used for adulterating rape oil are linseed, cottonseed, hempseed, poppy, fish, mineral, and resin oils." (Wright and Mitchell, p. 507.)

QUENCHING STEEL PLATES

"Used for quenching steel plates." (Chalmers, p. 10; Lewkowitsch, vol. 2, p. 271; Laucks, p. 56.)

Possible substitution or interchangeability

FOR LUBRICATION

Blown rape oil has unique properties for certain specialized uses in compounded lubricants but could be substituted in part for domestic castor oil.

FOR SOAP MAKING

Could be used for this purpose and, if so, it could be competitive with all domestic soap-making oils and fats, including cottonseed, soybean, peanut and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

FOR RUBBER SUBSTITUTES

Could be used for this purpose and, if so, it would compete with domestic cottonseed, corn, and soybean oils.

FOR EDIBLE PURPOSES

Could be used for edible purposes and, if so, would compete with domestic cottonseed, corn, and peanut oils as a salad and cooking oil.

RUBBER-SEED OIL

Among the rubber-yielding plants whose seeds yield drying oils are:

Para rubber seed, Brazil and various tropical countries; *Manihot glaziovii*, *Manihot dichotoma*, *Manihot piauhyensis*, east Africa; *Kicksia elastica*; *Euphorbia elastica*, Mexico; *Euphorbia gregaria*, southwest Africa." (Andes, pp. 146-149.)

Para rubber-seed oil is obtained from the seeds and kernels of the para rubber tree (*hevea brasiliensis*).

"Several of the rubber-bearing plants produce seeds yielding drying oils; it is very probable that these will become commercially of importance in the near future." (Andes, p. 146; Lewkowitsch, vol. 2, pp. 132-133.)

"Since the productive plantations in the East have become very extensive a larger supply of seeds is available and their export for purposes of oil production may increase especially so as the vitality of the seeds for production of seedlings is very feeble." (Lewkowitsch, vol. 2, p. 133.)

Uses

SOAP MAKING

"The oil is suitable for soap making." (Morrell and Wood, pp. 65-6.)

RUBBER SUBSTITUTES

"Can replace linseed oil in the manufacture of rubber substitutes." (Morrell and Wood, pp. 65-6.)

PAINTS AND VARNISHES

Could be used to some extent for paints and varnishes providing the free fatty acids are sufficiently low.

Possible substitution or interchangeability

At present the commercial oil on account of its acidity is almost entirely used for soap making.

FOR SOAP MAKING

Competes for this purpose with all domestic soap making oils and fats including cottonseed, sunflower, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

FOR PAINTS

Competes with domestic linseed oil.

SEAL OIL

Obtained from the blubber of various species of seal.

Uses

BURNING OIL

"The best qualities of seal oil are used as burning oils in lighthouses or when prices of cod-liver oil are high as an adulterant of cod-liver oil." (P. 460-466, Lewkowitsch, vol. 2.)

SOAP MAKING

"Lower qualities of seal oil are used in soap making, particularly soft soaps and in the leather industries." (Lewkowitsch, vol. 2, pp. 460-466.)

"Used in soap making." (Wright and Mitchell, p. 769.)

LEATHER INDUSTRIES

Used in leather industries. (Lewkowitsch, vol. 2, pp. 460-466.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

Imported hydrogenated seal, for this purpose, is in competition not only with domestic whale oil but also with domestic hydrogenated vegetable oils and solid animal fats such as edible tallow, butter, lard, cottonseed oil, soybean oil, peanut oil, corn oil, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

SESAME OIL

It is obtained from the seeds of the *Sesamum indicum*, L. and *Sesamum orientale*, L., which is a native of southern and eastern Asia. *Sesamum indicum* has grown wild and has been cultivated in India for a long time.

"At present both varieties of sesame are grown in most tropical and warm countries on account of the high percentage of oil in the seed; for instance, in India, Asia Minor, Greece (Livadia, Boltia, Messina), Egypt, Algiers, Zanzibar, Natal, the French West African Colonies, Brazil, West Indies, and latterly in the southern States of North America." (P. 94, Andes.) "The low price of the raw material and the abundance of oil in the seed cause sesame to be now ranked as one

of the most important materials for the production of oil." (Andes, p. 84.)

"India produces the largest amount of varieties. * * * By far the largest quantities of *Sesamum indicum* is grown in East India, Java, Siam, Tonkin, China, and Japan. Large quantities are also grown in the countries bordering the Mediterranean, especially in the Levant and Egypt. The seed grown in Africa belongs to the species, *Sesamum radiatum*, Shum and Thonn. Smaller quantities are produced in Algeria and on the West Coast of Africa, as also on the East Coast (Mozambique, Zanzibar, German East Africa). In South Rhodesia the seed is cultivated by the natives; it is not unlikely that in the near future it may be exported to Europe. In South America the plants are grown in Brazil, Venezuela, and Mexico, in the southern States of North America, and in several islands in the West Indies. The cultivation of the plant appears to be on the increase." (Lewkowitsch, vol. 2, p. 216.)

Uses

EDIBLE PURPOSES

"Used for edible purposes (margarine, etc.)." (Elsdon, pp. 232-234; Bontaux, Matieres Grasses, 1914, 4194; Siefen, Ztg. 1914, 987; Andes, p. 86; Middleton and Barry, p. 143; Holde, p. 368; Laucks, p. 55; Martin, vol. 1, p. 11; Wright and Mitchell, p. 540; Hilditch, p. 251.)

"It is one of the most prominent oils used in the manufacture of margarine." (Lewkowitsch, vol. 3, p. 33.)

"It is used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, p. 58.)

RUBBER SUBSTITUTES

"Used in the manufacture of rubber substitutes." (Lewkowitsch, vol. 3, pp. 202-203; vol. 2, pp. 230-23.)

SOAP MAKING

"Used for same technical uses as olive oil, for which it forms the most predominant substitute." (Andes, p. 86.)

"It can be used in the preparation of a substitute for tallow." (Stadley, English Patent, 10429, 1910. (Lewkowitsch, vol. 3, p. 31.)

"The oils of the first expression in the cold represent the best qualities. * * * The oils of second and third expression are used for manufacture purposes, chiefly for soap making." (Lewkowitsch, vol. 2, pp. 223, 230, 231; Holde, p. 368.)

"A specialty of the Marseilles trade is the employment of oil extracted from damaged seeds with carbon bisulphide in the soap industry." (Lewkowitsch, vol. 2, pp. 230, 231.)

"Used in soap making." (Gill, p. 118; Wright and Mitchell, pp. 540, 769; Laucks, p. 55.)

ADULTERANT

"Used as an adulterant of tung oil." (Lewkowitsch, vol. 2, p. 80.)

"The best cold-drawn oil being rather high in price, adulteration of the best qualities with poppy-seed oil, cottonseed oil, and arachis (peanut) oil is not infrequent. The sesame oils of second and third expression are frequently adulterated with rape oil. * * * Sesame oil is in its turn used as an adulterant of fatty oils, notably of poppy-seed oil." (Lewkowitsch, vol. 2, pp. 230-231.)

"Adulterants.—Cottonseed, peanut, rape, and poppy-seed." (Gill, p. 118.)

"Principal adulterants of sesame oil, peanut oil, cottonseed, poppy-seed, and rape oil." (Wright and Mitchell, pp. 544-545.)

"Used to adulterate almond and olive oil." (Laucks, p. 55.)

Possible substitution and interchangeability

FOR EDIBLE PURPOSES

"For margarine and lard substitutes sesame oil when hydrogenated competes with domestic hydrogenated oils, such as corn, cottonseed, soybean, and peanut oils, hydrogenated whale and fish oils, also domestic lard, butter, and tallow.

"As a salad oil sesame oil competes with the following domestic salad oils: Corn, cottonseed, and peanut oils.

FOR SOAP MAKING

"Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

SOD OIL

"Sod oil is a waste fat obtained in the process of currying leather."

Uses

CURRYING LEATHER

"Used for currying leather." (Lewkowitsch, vol. 3, pp. 429-431; Wright and Mitchell, p. 440.)

SOYBEAN OIL

"It is extracted from the beans or seeds of the soybean plant (*Glycine hispida*), of which there are very many varieties. In China, Manchuria, and Japan this bean is grown in enormous quantities, and is used for edible purposes and the oil is used for edible purposes.

"It has been cultivated in the last few years in most tropical countries (India, Ceylon, West Africa, South America, Australia), mostly with success, but it is doubtful if any of these sources will be a rival to the original, where labor is so cheap." (Andes, p. 133.)

EDIBLE PURPOSES

"The oil is an excellent edible oil, and has been used in quite large quantities in the manufacture of margarine." (Elsdon, p. 193; Morrell and Wood, p. 61.)

"Used for edible purposes." (Chalmers, p. 10; Hilditch, pp. 109-110, 251; Laucks, pp. 43-44; Martin, v. 1, p. 14; Morrell and Wood, p. 61; Andes, p. 135.)

"It is one of the most prominent oils used in the manufacture of edible margarine." (Lewkowitsch, vol. 3, p. 33; Andes, p. 135.)

"Soybean oil from fresh beans yields a cheap edible oil, and is therefore either sold as such or in admixture with cottonseed oil as an edible oil." (Lewkowitsch, vol. 2, p. 119.)

"Used in preparation of lard substitutes." (Ellis, United States Patent 1047013, Dec. 10, 1912.)

"In connection with the use of soybeans and soybean oil for edible purposes it may be mentioned that there has been recently established at Les Valles, France, a thoroughly up-to-date factory for the production of a wide assortment of food products from soybeans. Among the more important of these may be mentioned milk, cheese, casein, oil, jellies, flour, bread, biscuits, cakes, and sauces. According to Dr. G. Brooke, port health officer of Singapore, the soybean, more nearly than any other known animal or vegetable food, contains all the essential and properly proportioned ingredients of a perfect diet." (Toch, J. S. C. I., 1912, 31, 572.)

SOAP MAKING

"The oil can be substituted to some extent for cottonseed oil in soap making and after partial hydrogenation may be utilized either for edible fat or as a tallow substitute in soap and candles." (Hilditch, pp. 109-110.)

"Soybean oil is middle way between linseed oil and cottonseed oil in its general and exceptional soap-making properties. Can be used as a substitute of either of these two oils, especially for soap-making purposes. In the manufacture of soft soap, soybean oil serves as an almost complete substitute for linseed oil. In the manufacture of hard soaps it can replace cottonseed oil to some extent only, as the soap is softer than the one made from cottonseed oil." (Lewkowitsch, vol. 2, p. 119.)

"It occupies a position midway between cottonseed and linseed, either of which it can replace for soap manufacture. It dries slowly and is tacky. Satisfactory results can be obtained by boiling with a cobalt drier." (Toch, Gill, p. 115.)

"The oil is used for soap making chiefly. It makes a softer soap than cottonseed." (Laucks, pp. 43-44; Chalmers, p. 10; Morrell and Wood.)

"The hardened oil has been used for soap making." (Martin, vol. 1, p. 13.)

CANDLE MAKING

"Used in making candles." (Andes, p. 135.)

"When partially hydrogenated, soybean oil can be used as a substitute for tallow in candles." (Hilditch, pp. 109-110.)

PAINTS AND VARNISHES

"A fairly good drying oil about like poppy-seed oil." (Holde, p. 427.)

"It has been stated that soybean oil is not as pale as raw linseed oil and belongs to the semidrying class of oils. I must correct this statement. Soybean oils made from cold-pressed seeds such as Haberlandt, Austin, Habaro, Ebony, Meyer, and Ito San, give excellent results. They have a specific gravity as high as 0.926, with a yield ranging from 16 to 19 per cent. Furthermore, a drier made from red lead or litharge is unsuited for soybean oil, but a tungate drier, which is a mixture of a fused and a precipitated lead and manganese salt of China-wood oil and rosin, acts on soybean oil exactly the same as a lead and manganese drier acts on linseed oil. In other words, a fairly hard, resistant, and perfectly dry film is obtained within 24 hours by the addition of from 5 to 7 per cent of this drier." (Toch, p. 229.)

"In its drying properties it stands in the semidrying class and may be 'boiled and used for addition to linseed oil as a paint material.'" (Elsdon, p. 193; Holde, p. 485; Laucks, pp. 43-44; Morrell and Wood, p. 63; Gill, p. 115; Martin, vol. 1, p. 13.)

"Used in making varnishes." (Andes, p. 135.)

ADULTERANT

"Used as an adulterant of tung oil." (Lewkowitsch, vol. 3, p. 80.)

RUBBER SUBSTITUTES

"Used in the manufacture of rubber substitutes." (Lewkowitsch, vol. 3, pp. 202-203; Gill, p. 115.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes imported soybean oil when hydrogenated competes with domestic hydrogenated oils such as corn, cottonseed, sunflower, and peanut oils, hydrogenated whale and fish oils; also domestic lard, butter, and tallow. Domestic soybean oil for this pur-

pose competes with such foreign oils and fats as coconut palm-kernel, hydrogenated whale and fish oils, etc.

As a salad oil imported soybean oil competes with the following domestic salad oils: Corn, cottonseed, and peanut oils.

FOR SOAP MAKING

Imported soybean oil competes for this purpose with all domestic soap-making oils and fats, including cottonseed, sunflower, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc. Domestic soybean oil for this purpose competes with foreign soap materials, such as coconut, palm, palm-kernel, hydrogenated whale and fish oils, etc.

FOR PAINTS, VARNISHES AND OILCLOTH

Competes with domestic linseed oil.

TALLOW

Obtained from fat of beef or sheep.

Uses

EDIBLE PURPOSES

"The extraction of tallow from oxen or sheep is carried out in much the same way as the production of lard. For edible purposes the fat from the kidneys and related organs, or suet, yields the best results. The best edible qualities of tallow are termed 'premier jus,' and are obtained by shredding the chilled fat and heating it alone at only moderate temperatures; tallow for soap-making purposes or when used for candle material is obtained from the remainder of the animals by digestion with water in autoclaves, and is known as rendered beef or rendered mutton tallow.

"Expression of either premier jus or rendered tallow yields solid tallow or oleostearin and liquid or greasy oleo oil of corresponding quality to the raw material; the stearin is used in soap and candle making, whilst the oil is of value in margarine if of edible quality, or otherwise in low-grade soap and in some types of lubrication." (Hilditch, p. 117.)

"Edible grades are used for the manufacture of margarine." (Mydleton and Barry, p. 143; Elsdon, p. 357.)

"A large proportion, however, of the especially selected fat, mainly from the kidneys, is used for the preparation of oleomargarine." (Mitchell, p. 73.)

"Beef tallow is used for margarine." (Fryer and Weston, p. 171; Lewkowitsch, vol. 2, pp. 764-765, p. 780; Andes, Animal Fats and Oils, p. 180.)

"Used for cooking compounds." (Fryer & Weston, p. 171; Lewkowitsch, vol. 2, p. 780; Andes, Animal Fats and Oils, p. 180.)

SOAP MAKING

"Inedible grades especially used for soap making." (Hilditch, p. 117.)

"Those parts of the fat-secreting portions of beef that are converted into soap stock are made up of that quality which unfits them for edible purposes. With the development of the provision and allied interests, the utilization of animal fats for food has increased to the degree that only the poorest quality is available for soap manufacture. The fat is contained in the fat cells, which with membrane and water make up the fatty tissue." (Lamborn, p. 40.)

"The fat from oxen and cows is commercially known as beef tallow, and is principally used in the manufacture of soap and candles." (Mitchell, p. 73.)

"All grades of beef fat are used in soap manufacture according to the quality and purpose of the soap." (Lamborn, p. 37.)

"Used in soap making." (Fryer and Weston, p. 171; Lewkowitsch, vol. 2, pp. 781-787; Wright and Mitchell, p. 769.)

CANDLE MAKING

"The fat from oxen and cows is commercially known as beef tallow, and is principally used in the manufacture of soap and candles." (Mitchell, p. 73.)

"Used for candle making." (Fryer and Weston, p. 171; Lewkowitsch, vol. 2, pp. 781-787; Andes, Animal Fats and Oils, p. 180.)

LUBRICATION

"Used for lubrication." (Fryer and Weston, p. 171; Lewkowitsch, vol. 2, p. 780; Andes, Animal Fats and Oils, p. 180.)

Possible substitution and interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, domestic edible tallow is in competition with foreign fats and hydrogenated oils, such as coconut oil, palm-kernel, palm, hydrogenated cottonseed, corn, soybean, peanut, fish, and whale oils; imported edible tallow would be competitive not only with a similar domestic product but also with domestic butter, lard, and domestic hardened oils, such as hydrogenated cottonseed, soybean, peanut, corn, fish, and whale oils.

FOR SOAP MAKING

Imported tallow competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale

oil, etc.; domestic tallow is in competition for this purpose with foreign soap materials such as coconut, palm, palm-kernel, hydrogenated whale and fish oils, etc.

TEA-SEED OIL

"Tea-seed oil is expressed on a large scale in China from the seeds of *Thea casanqua nois* (Thumb.), which is specially cultivated in China, Tonkin, Assam for its fruit and not for its leaves." (Lewkowitsch, vol. 2, p. 332.)

Uses

EDIBLE PURPOSES

"It is expressed in China, where it is used as an edible oil." (Wright and Mitchell, p. 499.)

"The first pressed oil serves there as an edible oil (in China) although the proportion of saponin which it contains would render it somewhat unsafe for consumption. The oil obtained by extraction with solvents is perfectly free from saponin." (Lewkowitsch, vol. 2, p. 332; Elsdon, p. 248.)

BURNING OIL

"The lower qualities are used as burning oil and for soap making." (Lewkowitsch, vol. 2, p. 332.)

"The fatty oil from *Camellia oleifera*, Bot. Reg., is not used for edible purposes but as a hair oil or a burning oil." (Lewkowitsch, vol. 2, p. 333.)

SOAP MAKING

"It is expressed in China, where it is used as an edible oil, in the manufacture of soap, and for illuminating purposes. A sample of Assam seeds yielded 16.1 per cent of oil when extracted with petroleum spirit." (Wright and Mitchell, p. 499.)

"The lower qualities are used as burning oil and for soap making. In commerce two varieties, viz, Chinese, Assam oil, are obtainable." (Lewkowitsch, vol. 2, p. 332.)

ADULTERATION

Olive oil is sometimes adulterated with tea-seed oil.

LUBRICANT

"Used for lubricating delicate machinery." (Laucks, p. 64.)

ILLUMINANT

"It is expressed in China, where it is used as an edible oil, in the manufacture of soap, and for illuminating purposes." (Wright and Mitchell, p. 499.)

Possible substitution or interchangeability

EDIBLE PURPOSES

The refined, deodorized oil could be used for edible purposes, such as salad oil, and when hydrogenated it could be used for margarine and lard substitutes.

For salad oil, domestic tea-seed oil is in competition with imported olive, sesame, poppy-seed and sunflower oils, etc.; imported tea-seed oil competes also with domestic peanut, cottonseed, soybean, and sunflower oils.

For butter substitutes and lard substitutes, tea-seed oil is not used on account of its high price as compared with other available materials, but it could be so used.

SOAP MAKING

Competitive for this purpose with all other soap-making fats and oils. The domestic tea-seed oil is competitive for this use with such foreign oils and fats as coconut, palm, palm-kernel, sesame, and rape oils, hydrogenated fish and whale oils, etc.; imported tea-seed oil is competitive for this purpose not only with domestic tea-seed oil but also with domestic tallow, lard, hydrogenated fish, and whale oils, and castor, soybean, peanut, and cottonseed oils, etc.

TUNG OIL

It is obtained from the seeds of the aleurites trees (*Aleurites fordii* and *Montana*), which are native to China.

The kernels contain about 50 per cent of oil.

The tung tree is now cultivated in the southern part of the United States and in Florida. There are now 4,000 acres planted to tung trees.

Uses

PAINTS AND VARNISHES

"Extensively used in the manufacture of varnish and paints and waterproofings." (Wright & Mitchell, p. 577; Laucks, p. 39.)

"Tung oil polymerized by light finds a use in commerce as a means of preventing the separation of the metallic pigment from the oil in oil paints in tubes. The addition of about 10 per cent of the product gives satisfactory results, and also accelerates the drying of the paint." (Wright & Mitchell, pp. 580-581.)

"It dries in two-thirds the time of linseed oil. In China it is used as wood varnish, for making of lacquers, as waterproofing for cloths, silk, and leather; as a varnish for furniture and in production of papier-mâché, as an illuminant. It is in demand in Europe and America for varnish making." (Morrell & Wood, p. 54.)

"Chinese tung oil possesses even more strongly pronounced drying power than linseed oil in that it forms a skin more rapidly than lin-

seed oil, but it differs from the latter oil in that it gives on a glass plate a dry opaque skin which is waxlike, but has no elasticity." (Lewkowitsch, vol. 2, p. 78.)

INK

"The best kinds of Chinese ink are obtained by burning the oil with a regulated amount of air." (Lewkowitsch, vol. 2, p. 83; Laucks, p. 39.)

JAPANESE TUNG OIL

Obtained from the seeds of the tree *Aleurites cordata*, which is found in Japan. The oil is much inferior to tung oil, and none is available for importation into the United States.

Possible substitution or interchangeability

PAINTS AND VARNISHES

Among drying oils tung oil is unique in composition and imparts waterproof properties to paints and varnishes. Linseed and other high-class drying oils could be in part or wholly substituted by tung if it were available.

WHALE OIL

"Obtained from blubber of various species of whale." (Laucks, pp. 81-82.)

Uses

EDIBLE PURPOSES

"Pale water white brands are used in considerable quantities for hydrogenation; the product is an edible one." (Myddleton, p. 41.)

"Hardened whale oil is suitable for food, according to Offerdahl." (Ber., 1913, 558; Ellis, p. 337; Laucks, 81-82.)

"Whale oil is suitable for use as a butter substitute." (Erlandsen, Fridericia, and Elgstrom, Tidskrift, Kem., 1918, 15, 109; Chem. Abs., 1918, 1793; Cited in Ellis, p. 337; Bonteux, Matieres Grasses, 1914, 4194; Seifen, Ztg., 1914, 987; Ellis, p. 339.)

"Some recent work of L. S. Fridericia (J. S. C. D., 1925, 44, B 144) seems to show the addition of hydrogenated whale oil to a diet of which vitamin A was supplied by butterfat rendered the diet insufficient for the growth of rats." (Elsdon, p. 475.)

"It has been proven that in many cases the vitamins are entirely destroyed during the process of hydrogenation, although this is not true of all the oils." (Elsdon, p. 475.)

"Used as an edible fat." (Lewkowitsch, vol. 2, p. 474.)

SOAP MAKING

"The water white and pale brands of whale oil are used as burning oil and in soap making. Considerable quantities of these qualities are hydrogenated for use as edible fats. The lower qualities are employed for leather dressing. Whale oil is also largely used as a 'hatching oil,' for jute, for tempering steel, as a lubricant, for screw-cutting machines, for soap making, and adulterating tallow." (Lewkowitsch, vol. 2, p. 474.)

"Suitable for soap." (Garth, Seifen, Ztg. (1912), 1278; Ellis, p. 362; Laucks, pp. 81-82; Wright and Mitchell, p. 769.)

"Hardened whale oil particularly has been utilized in soap making." (Ellis, p. 360; Laucks, pp. 81-82.)

"Hardened whale oil is suitable as a soap base, even for toilet soaps." (Schuck, Soap Gazette and Perfumer, 1914, 419.)

"By polymerizing and hydrogenation, whale oil can be prepared for use as a lubricant, for sulfonating, or for making soap with good lathering qualities." (United States Patent No. 1178142, Apr. 4, 1916; Ellis, pp. 396-397.)

TEMPERING STEEL

"Used for tempering steel." (Myddleton and Barry, p. 41; Lewkowitsch, vol. 2, p. 474.)

LUBRICANT

"Used as a lubricant." (Gill, p. 142; Myddleton and Barry, p. 41; Lewkowitsch, vol. 2, p. 474; Laucks, pp. 81-82.)

"By polymerizing and hydrogenation whale oil can be prepared for use as a lubricant, for sulfonating, or for making soap with good lathering qualities." (United States Patent No. 1178142, April 4, 1916; Ellis, pp. 396-397.)

LEATHER DRESSING

"Used for treating leather." (Gill, p. 142; Myddleton and Barry, p. 41; Lewkowitsch, vol. 2, p. 474; Laucks, pp. 81-82.)

ILLUMINANT OR BURNING OIL

"Use as a burning oil." (Gill, p. 142; Lewkowitsch, vol. 2, p. 474.)

ADULTERANT

"Used to adulterate tallow." (Lewkowitsch, vol. 2, p. 474.)

CANDLE MAKING

"Normann (Zeifen, Ztg. 1914, 263) has made candles with stock obtained from hardened fish or whale oil which burned brightly and without odor, similar to the best grade of stearin candles." (Ellis, p. 381.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes domestic whale oil is in competition with foreign hydrogenated vegetable and animal oils, such as seal oil, edible tallow, coconut oil, palm-kernel oil, soybean oil, sesame, cottonseed oil, peanut oil, etc.; imported hydrogenated whale for this purpose is in competition not only with domestic whale oil but also with domestic hydrogenated vegetable oils and solid animal fats, such as edible tallow, butter, lard, cottonseed oil, soybean oil, peanut oil, corn oil, etc.

FOR SOAP MAKING

Imported whale oil competes for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, seal oil, etc.; domestic whale oil is competitive for this purpose with foreign soap materials, such as coconut, palm, palm-kernel, hydrogenated whale and fish oils, etc.

Mr. SHEPPARD. Mr. President, then comes the part relating to oils and fats not mentioned specifically in the tariff bill, many of which have not yet been used in the United States at all. There is a potential danger to American agriculture of a number of oil and fat bearing materials from marine, animal, and vegetable sources in foreign lands.

The first oil in this classification is atta-seed oil, then apricot-kernel oil, aouara oil, Babassu-kernel oil, baobab fat, obtained from the seeds of several species of Adansonia tree which is indigenous to tropical Africa, and which has been cultivated in Asia and in America.

I ask that this section of the report be printed at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

PART II. OILS AND FATS NOT MENTIONED SPECIFICALLY IN THE TARIFF BILL (H. R. 2687; BASKET CLAUSE)

ATTA-SEED OIL

Obtained from seeds of *Pentaclethra macrophylla* in West Africa.

A similar oil known as *Paroa-cazy* is obtained from seeds of *Pentaclethra filamentosa*.

Uses

EDIBLE PURPOSES

"Bolton and Herver, however, consider that the oils from both sources may be edible so that supplies may arrive at any time." (Elsdon, p. 346.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes atta-seed oil is competitive with domestic oils and fats such as edible tallow, butter, lard, and hydrogenated cottonseed oil, peanut oil, soybean oil, corn oil, etc.

APRICOT-KERNEL OIL

Obtained from the kernels of the seed of the apricot tree.

"Apricot-kernel oil forms an important article of commerce. The commercial 'almond oil, Fr.' is practically pure apricot-kernel oil of a mixture of apricot-kernel and peach-kernel oils (op. p. 296); the French apricot-kernel oil is obtained from sweet kernels; the oil obtained from Japanese bitter kernels which are imported is not so pleasant in taste." (Lewkowitsch, p. 291.)

Uses

EDIBLE PURPOSES

"Apricot-kernel oil is used as an edible oil." (Lewkowitsch, p. 291.)

"An edible oil." (Elsdon, pp. 252-256.)

PHARMACEUTICAL USES

"Medicinal and cosmetic purposes same as olive oil." (Andes, p. 55.)

ADULTERANT

"In perfumery it is employed for adulterating or wholly substituting almond oil." (Lewkowitsch, p. 291.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES AND PHARMACEUTICAL PURPOSES

Competitive with almond, peach-kernel, cherry-kernel, plum-kernel, and olive oils; also with refined seed oils such as cottonseed, corn, soybean, sesame, and peanut oils for salad oil and as a cooking oil; also, of hydrogenated, competitive with butter and lard.

AOUARA OIL (TUCUM OIL)

"Obtained from the aouara palm (*Astrocaryum vulgare*, Martens), which occurs in French Guiana." (Lewkowitsch, vol. 2, p. 543.)

Uses

EDIBLE PURPOSES

"Used by natives for culinary purposes." (Lewkowitsch, vol. 2, p. 544.)

AOUARA-KERNEL OIL

Obtained from the kernels of the aouara-palm nut.

Uses

EDIBLE PURPOSES

"Used in Gulana for edible purposes." (Lewkowitsch, vol. 2, p. 625.)

AOUARA OIL

Can be used for same purposes as palm-kernel and coconut oil.

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

BARASSU-KERNEL OIL

Obtained from kernels of a species of Attalea—probably a funifera, Mart., which grows in Brazil.

"It resembles coconut oil and palm-kernel oil, being closely allied to the latter." (Elsdon, p. 347.)

Uses

Same as "palm-kernel oil."

LUBRICANT

"Refined and deodorized babassu or murmuru fats are commodities which are beginning to find similar applications to coconut and palm-kernel oils. They are indeed somewhat harder and more brittle, and to this extent should be more valuable than the latter in confectionery, since the melting point is not sensibly different." (Hilditch, pp. 259-260.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard, edible hydrogenated fish and whale oils; etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

BAOBAB FAT

Obtained from the seeds of several species of Adansonia tree, which is indigenous to tropical Africa and which has been cultivated in Asia and America.

"It has an odor somewhat like that of Tunisian olive oil." (Andes, p. 185.)

Possible substitution or interchangeability

EDIBLE PURPOSES

Competes with domestic butter, lard, hydrogenated peanut, corn, and soybean oils.

SOAP MAKING

Competitive for this purpose with domestic liquid fats, both vegetable and animal, such as lard, tallow, hardened fish, soybean, peanut, cottonseed, and corn oils.

BASSIA TALLOW

(Galam butter, Munga oil, Mohua fat, etc.)

Obtained from seeds of several varieties of bussia produced in India and on west coast of Africa.

"Bassia tallow, substitute for ghee." (Aldson, p. 279.)

Uses

EDIBLE PURPOSES

"It is used as food in India and, if properly refined, can be used as a substitute for lard." (Mitchell, p. 72.)

Shea butternuts: "Alimentary in the fresh state they are used as a food in the countries where they are produced." (Andes, p. 172.)

"This fat is largely employed in the manufacture of soap and candles, and in India is used as an edible fat." (Wright and Mitchell, p. 602.)

SOAP MAKING

Shea butternuts: "Alimentary in the fresh state they are used as a food in the countries where they are produced. Technical: For working soap and candles." (Andes, p. 172.)

"This fat is largely employed in the manufacture of soap and candles, and in India is used as an edible fat." (Wright and Mitchell, p. 602.)

CANDLES

Shea butternuts: "Alimentary in the fresh state they are used as a food in the countries where they are produced. Technical: For working soap and candles." (Andes, p. 172.)

"This fat is largely employed in the manufacture of soap and candles, and in India is used as an edible fat." (Wright and Mitchell, p. 602.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes with this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

FOR CANDLE MAKING

Competitive for this purpose with domestic tallow and other hard fats.

BRAZILIAN-PALM OILS AND PALM-KERNEL OILS

Elaeis guineensis: "The fats from the pulp and kernel are suitable for the same purposes as the ordinary African products, but differ considerably therefrom in analytical values." (Mitchell, p. 87.)

Astrocaryum vulgare: "It yields a pulp oil suitable for margarine." (Mitchell, p. 87.)

Astrocaryum species: "The kernel oil would be suitable as a substitute for cacao butter and coconut stearin." (Mitchell, p. 87.)

Acrocomia solerocarpa: "It grows in large forests in Paraguay, yields a pulp oil resembling palm oil, but of less value. The kernel oil would be suitable for margarine." (Mitchell, p. 87.)

Maximiliana regia (Anaja or kakerite palm): "Yields an odorless firm white edible fat." (Mitchell, p. 87.)

Attalea funifera: "The kernels yield a fat similar to but softer than coconut oil and suitable for margarine." (Mitchell, p. 87.)

Oenocarpus batava: "The oil from the pulp of this fruit closely resembles olive oil in its characters and is particularly suitable for use as a salad oil." (Mitchell, p. 87.)

Uses

Generally the same uses as palm-kernel oils, as follows:

Edible purposes, soap making, candle making, paints, and lubricants. (See "Palm-kernel oil.")

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

BEN OIL

It is obtained from the seeds of the ben nut from the Moringa tree (*Moringa pterygosperma*), which is indigenous to India, Arabia, and Syria. It has also been found in northern Nigeria and in Dahomey, and it has been introduced into Jamaica from the East Indies. It is used in the East as a cosmetic and in the extraction of perfume from flowers.

Uses

EDIBLE PURPOSES

"The oil, if properly refined, would yield a good edible oil and should be a valuable lubricating oil for delicate machinery if kept properly." (Lewkowitsch, vol. 2, pp. 381-384.)

SOAP MAKING

"At one time this oil was extensively employed for cosmetic purposes in the manufacture of toilet soaps." (Lewkowitsch, vol. 2, pp. 381-384.)

LUBRICANTS

"The oil, if properly refined, would yield a good edible oil and should be a valuable lubricating oil for delicate machinery if kept properly." (Lewkowitsch, vol. 2, pp. 381-384.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

As a salad oil it is competitive with domestic oils such as olive, cottonseed, corn, peanut, soybean, etc. For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

BORNEO TALLOW

(Illipe fat)

Obtained from seeds of *Shorea stenoptera* and perhaps other plants, which are found in Borneo, Java, and Sumatra.

Uses

EDIBLE PURPOSES

"Borneo tallow is employed by the natives for edible purposes." (Lewkowitsch, vol. 2, p. 617.)

"Not to be confused with Illipe butter (from an Indian species of the *Bassia* tree), is at present largely used as a substitute for cacao butter." (Hilditch, p. 96.)

"The refined fat, apart from its color (faint green instead of pale yellow), is almost identical in physical properties with cacao butter." (Hilditch, p. 96.)

"It has an odor and taste recalling those of cacao butter, and is used as a substitute for that fat under the name of 'Green butter.'" (Wright and Mitchell, p. 603.)

"* * * Borneo tallow is used as a substitute for cacao butter, under the commercial name of 'Green butter.'" (Mitchell, p. 74; Wright and Mitchell, p. 603.)

SOAP MAKING

"It is a suitable material for the manufacture of soap and candles." (Wright and Mitchell, p. 603.)

"It is exported to Europe and should prove a valuable material for soap making." (Lewkowitsch, vol. 2, p. 617.)

CANDLE MAKING

"It is a suitable material for the manufacture of candles." (Wright and Mitchell, p. 603.)

"It is exported to Europe and should prove a valuable material for candle making." (Lewkowitsch, vol. 2, p. 617.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

BRAZIL-NUT OIL

Obtained from Brazil nuts (*Bertholletia excelsa*) which grow in Brazil.

Uses

EDIBLE PURPOSES

"In South America Brazil-nut oil is expressed for edible purposes." (Lewkowitsch, vol. 2, pp. 242-244.)

"An edible oil." (Elsdon, p. 198.)

"Alimentary: In South America the freshly pressed oil is used as a food." (Andes, p. 102.)

SOAP MAKING

"The nuts which have become mouldy in transit to Europe are expressed and the oil thus recovered is used for soap making or as a substitute for inferior kinds of olive oil." (Lewkowitsch, vol. 2, pp. 242-244.)

"Alimentary: In South America the freshly pressed oil is used as a food. Technical: As a burning oil and for soap making." (Andes, p. 102.)

AS A BURNING OIL

"Technical: As a burning oil and for soap making." (Andes, p. 102.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

As a salad oil it is competitive with domestic oils, such as olive, cottonseed, corn, peanut, soybean, etc. For margarine and lard substitutes it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish, and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

CACAO BUTTER

Obtained from cacao beans, which are produced in Central America, South America, Martinique, West Indies, West Africa, etc.

Uses

EDIBLE PURPOSES, ESPECIALLY CONFECTIONERY

"Could be used as a butter substitute in margarine." (Hilditch, pp. 259-260.)

"During 1917 and 1918 cacao butter was used as a cooking fat, and the process for its deodorization was patented." (Lewkowitsch, vol. 2, pp. 601-604.)

"It is extensively used in the preparation of chocolate cream, but is liable to be adulterated with cheaper fats, such as coconut and palm-kernel oil 'stearines.'" (Mitchell, p. 76; Hilditch, pp. 259-260.)

"The main use of cacao butter is for making chocolates. It has also a considerable value as a cosmetic (face pomade), and large quantities are used by pharmaceutical chemists as a media for conveying drugs, etc., into the skin * * *." (Martin, p. 129.)

"Cacao butter is also an excellent fat for cooking, as the author showed (see his pamphlet, *Cocoa Butter for Cooking Purposes*, published by the Cooperative Wholesale Society (Ltd.), stationery department, Manchester). For ordinary domestic cooking half quantities of fat should be used, compared to the quantity of lard ordinarily used for cooking. Full details of use are given in above pamphlet." (Martin, p. 129.)

"Confectionery." (Elsdon, pp. 304-305; Chalmers, p. 9; Martin, p. 129; Lewkowitsch, vol. 2, pp. 601-604; Laucks, pp. 87-88.)

Could be used for culinary purposes.

"It was used in England for culinary purposes during the World War." (Elsdon, pp. 304-305.)

SOAP MAKING

"Cacao butter is valuable for use in soap making." (Chalmers, p. 9; Andes, p. 155.)

PHARMACEUTICAL USES

"Used for pharmaceutical purposes." (Elsdon, pp. 304-305; Lewkowitsch, vol. II, pp. 601-604; Martin, p. 129; Chalmers, p. 9; Andes, p. 155; Laucks, pp. 87-88.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

Could be used as cooking fat and margarine fat, but at the present time the price is prohibitive as compared with other available materials.

FOR SOAP MAKING

Could be used for soap making, but price is prohibitive at present as compared with other available materials.

CANDLENUT OIL OR BANKUL OIL

It is extracted from the nuts of the Lumbang tree (*Aleurites moluccana*) "which might be placed on the market in very large quantities from Martinique, Guadeloupe, New Caledonia, Tahiti, Guiana, and Reunion, Japan, Fiji, Australia, and New Zealand, but which do not at present constitute a regular article of commerce. It is cultivated in Hawaii and the Philippine Islands. The employment of this material in the oil industry is desirable, not only on account of its low price, but also by reason of the quality of the oil it can be made to yield."

"The Lumbang tree grows to a height of about 30 to 40 feet, and is covered with large, glossy leaves. It bears two crops of nuts, which are enclosed in very thick, hard shells. The kernels are pale colored, and contain so much oil that they are strung on reeds and used for illuminating, hence the name, 'candlenuts.'" (Andes, p. 109.)

"Candlenut oil is obtainable in enormous quantities." (Lewkowitsch, p. 89.)

Uses

PAINTS AND VARNISHES

"When boiled it produces a varnish which dries with great rapidity, excelling boiled linseed in this respect." (Wright and Mitchell, p. 466.)

"It may also find application in the manufacture of paint oils and varnishes as a substitute for linseed oil." (Lewkowitsch, p. 89; Toch, pp. 223-224.)

"The oil dries at about the same rate as linseed oil and, like the latter, may be converted into varnish by oxidation." (Andes, p. 110.)

The brown oil, "examined for drying properties, the varnishes differed somewhat from linseed varnishes of the same strength, drying at least four hours sooner than the latter, and the raw oil also dried quicker than linseed oil. * * * "As far as drying properties were concerned, these oils (the pale oils) manifested the same superiority over linseed oil, drying quicker by a few hours." (Andes, pp. 111-113.)

"With respect to their stability as paint when incorporated with earthy colors and metallic oxides the whole of the bankul-oil varnishes gave the same result as the varnish colors." (Andes, pp. 111-113.)

"Used for the same purposes as linseed oil." (Andes, pp. 111-113.)

"A drying oil." (Elsdon, p. 168.)

"Experiments show that it may have good value as a varnish oil." (Laucks, p. 40.)

SOAP MAKING

"It should prove suitable for soap making, especially for the manufacture of soft soap." (Lewkowitsch, p. 89; Laucks, p. 40; Lewkowitsch, vol. 2, p. 90; Wright and Mitchell, p. 466.)

ADULTERATION

"Schadler states that candlenut oil is sometimes used to adulterate olive oil, though as the oil has purgative properties, like castor oil, it

can not be extensively used for this purpose. Any large addition would tend to raise the specific gravity and iodine value of the olive oil." (Wright and Mitchell, p. 466.)

"Linseed oil may be adulterated with candlenut oil." (Laucks, p. 40.)
 "When the price of linseed oil is high adulteration with candlenut oil may occur." (Lewkowitsch, p. 89.)

Possible substitution or interchangeability

FOR PAINTS AND VARNISHES

Competitive for this purpose with domestic oils such as linseed, soybean, tung, safflower, walnut, menhaden.

FOR SOAP MAKING

When hydrogenated it is competitive for this purpose with domestic oils such as cottonseed, olive, and peanut oils, and hydrogenated fish and whale oils.

CHERRY-KERNEL OIL

Obtained from the kernels of the cherry seeds.

Uses

EDIBLE PURPOSES

Used for edible purposes; "the freshly pressed oil is used for cooking, and the same purposes as olive oil." (Andes, p. 57.)

"In southern Germany (Wurtemberg) the cold-drawn oil is used for edible purposes. The oil expressed at a higher temperature serves as a burning oil and also for soap making." (Lewkowitsch, v. 2, p. 286.)

SOAP MAKING

"Used for soap making." (Andes, p. 57.)

"In southern Germany (Wurtemberg) the cold-drawn oil is used for edible purposes. The oil expressed at a higher temperature serves as a burning oil and also for soap making." (Lewkowitsch, v. 2, p. 286.)

AS A BURNING OIL OR ILLUMINANT

"Used as an illuminant." (Andes, p. 57.)

"In southern Germany (Wurtemberg) the cold-drawn oil is used for edible purposes. The oil expressed at a higher temperature serves as a burning oil and also for soap making." (Lewkowitsch, v. 2, p. 286.)

ADULTERANT

"Cherry-kernel oil is sometimes employed to adulterate almond oil." (Wright and Mitchell, p. 470.)

MEDICINAL

"Medicinal, same as almond oil." (Andes, p. 57.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES AND PHARMACEUTICAL PURPOSES

Competitive with almond, peach kernel, apricot kernel, plum kernel, and olive oils; also with refined seed oils such as cottonseed, corn, soybean, sesame, peanut, for salad dressing, and as a cooking oil; also, if hydrogenated, competitive with butter and lard.

CHINESE VEGETABLE TALLOW

Obtained from the hard fat which coats the seeds of the Chinese tallow tree known as *Stillingia schifera*, which is grown extensively in China, northwestern India, the Punjab, and the West Indies. The tree has also been introduced into South Carolina.

Uses

SOAP MAKING

"Vegetable tallow is used extensively in tallow manufacture." (Lewkowitsch, vol. 2, p. 609.)

"Used in soap." (Laucks, pp. 88-89; Andes, p. 176; Elsdon, p. 299.)

"Vegetable tallow is exported in large quantities to Europe, where it is used in the manufacture of soap and candles." (Wright and Mitchell, p. 609.)

"It finds some employment, in the best qualities, as a cacao-butter substitute. Most of this fat is, however, used in China for candles and soap." (Hilditch, p. 96.)

CANDLE MAKING

"Used in the manufacture of candles." (Holde, p. 440; Laucks, pp. 88-89; Andes, p. 176; Elsdon, p. 299.)

"Vegetable tallow is exported in large quantities to Europe, where it is used in the manufacture of soap and candles." (Wright and Mitchell, p. 609.)

"It finds some employment, in the best qualities, as a cacao-butter substitute. Most of this fat is, however, used in China for candles and soap." (Hilditch, p. 96.)

Possible substitution or interchangeability

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

FOR CANDLE MAKING

Competitive for this purpose with domestic tallow, and other hard fats.

COHUNE OIL AND BABASSU FAT

"These are nut oils obtained from the seeds of various trees of the genus *Attalea*, which are abundant in some of the Central and South American forests. They are very similar in character to palm-kernel oils and could generally be substituted for it. The trees grow in the wild state in enormous quantities, and organization of transport facilities is all that is necessary to render these fats available on a large scale. Babassu fat, which has a slightly higher melting point than palm-kernel oil, is commencing to supplement the use of the latter in southern France and Italy." (Hilditch, p. 95.)

"Resembles palm nut and coconut in general appearance." (Lewkowitsch, vol. 2, p. 620.)

Uses

Same as palm-kernel oil: Edible purposes, soap making, candle making, paints, and lubricants.

COHUNE OIL

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it would be competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Would be competitive for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

COKERITE KERNEL OIL

Obtained from *Maximiliana regia*, Mart.

"Resembles cohune-nut oil." (Elsdon, p. 349.)

"The kernels yield about 60 per cent of a hard cream-colored fat similar to palm-kernel oil." (Elsdon, p. 350.)

Uses

See palm-kernel oil.

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

CORN OIL

Uses

EDIBLE PURPOSES

"Used for the manufacture of margarine." (Myddleton and Barry, p. 143; Lewkowitsch, vol. 3, pp. 36-37; vol. 2, pp. 177-178; Laucks, pp. 47-48.)

"Corn oil (maize oil) is used in the manufacture of lard substitutes." (Lewkowitsch, vol. 3, p. 58; vol. 2, pp. 177-178; Laucks, pp. 47-48; Hilditch, p. 251.)

"It is used as an edible oil, more especially in the preparation of oleomargarine and artificial lard in the United States, although usually in admixture with cottonseed oil, since its pronounced odor is liable to be perceptible in the finished product." (Mitchell, p. 65; Lewkowitsch, vol. 2, p. 178.)

"Well refined maize oil is used for edible purposes (salad oil). Since its 'grainy' taste is objectionable the edible quality is mostly mixed with edible cottonseed oil and other edible oils. * * * Such maize oil as can not be employed for edible purposes is used chiefly in making soft soap, for which it is eminently suitable." (Lewkowitsch, vol. 2, pp. 177-178.)

"Used for salad oil and for cooking purposes." (Elsdon, p. 204; Laucks, pp. 47-48.)

SOAP MAKING, ESPECIALLY SOFT SOAP

"Such maize oil as can not be employed for edible purposes is used chiefly in making soft soap, for which it is eminently suitable." (Lewkowitsch, vol. 2, pp. 177-178; Laucks, pp. 47-48.)

"Used for soap making, especially soft and transparent soaps." (Gill, p. 117.)

"Can be used in the manufacture of soap." (Ellis, pp. 382-383; Lamborn, p. 70; Hilditch, p. 106.)

RUBBER SUBSTITUTES

"Used in the manufacture of rubber substitutes." (Lewkowitsch, vol. 3, pp. 202-203.)

PAINTS AND VARNISHES

"The crude oil is dark colored, being heavily charged with albuminous matter. On refining it yields a bright yellow oil, which may be further refined to the almost complete absence of color. It possesses drying

properties sufficient to recommend it as a paint oil for special purposes." (Lamborn, p. 71.)

"Used for painting." (Gill, p. 117.)

"It is not suitable for paints or lubrication, although it is sometimes used for paint." (Laucks, pp. 47-48.)

"A semidrying oil having somewhat better drying properties than cottonseed oil." (Elsdon, p. 206; Laucks, pp. 47-48.)

ILLUMINANT OR BURNING OIL

"Lower qualities are used as a burning oil." (Lewkowitsch, vol. 2, pp. 177-178; Gill, p. 117.)

ADULTERATION

"When cottonseed oil is lower in price than maize oil the latter is extensively adulterated with cottonseed oil." (Lewkowitsch, vol. 2, pp. 177-178.)

"Used for adulterating other oils, as linseed, lard, and olive." (Gill, p. 117.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

Imported corn oil would compete with domestic butter and lard when used for manufacture of butter and lard substitutes; it would also compete with domestic corn oil.

For butter substitutes and lard substitutes, foreign oils such as coconut oil, palm-kernel oil, and similar solid vegetable fats from the Far East and Africa compete with domestic corn oil.

For salad oils, such foreign oils as poppy seed, rape, kapok, and sesame are competitive with domestic corn oil; imports of peanut, sunflower, soybean, and olive oils would also be competitive with domestic corn oil for this purpose. Imported corn oil, for salad oil, would compete with domestic cottonseed, soybean, and peanut oils.

SOAP MAKING

Domestic corn oil is in competition with foreign liquid fats both vegetable and animal such as hardened fish oils and hardened marine animal oils and most of the liquid and solid vegetable oils and fats, including coconut, palm-kernel, soybean, rape, and mustard oils, etc. Imported corn oil would also be competitive for this purpose with domestic oils and fats, both vegetable and animal, such as lard, tallow, hardened fish oils, soybean, peanut, and cottonseed oils, etc.

RUBBER SUBSTITUTES

Competitive for this purpose with castor oil, fish oil, linseed oil, etc.

COMMON OIL, BATAVA OIL, OR PATAYA OIL

Obtained from the kernels of the Brazilian palm tree.

"The oil bears a striking resemblance to olive oil, and save for a distinctly lower refractive index and a hardly appreciably lower iodine value, the analytical constants are strikingly similar, including its specific gravity of 0.9158. When subjected to Bellier's test, as modified by Evers (Analyst, 1912, 37,488), it behaves in a similar way to olive oil." (Bolton and Hewer (Analyst, 1917, 42).)

Uses

Same as palm-kernel oil.

See also "Brazilian palm oils."

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

COYAL PALM OIL

(Muriti fat)

It grows abundantly in Costa Rica, Nicaragua, and upper Panama.

"Both the oil and residue are similar in composition to that obtained from the coconut and other palms, and could be used in the manufacture of similar food products." (Elsdon, p. 353.)

"The fat has a pleasant taste and is similar to coconut oil." (Lewkowitsch, vol. 2, p. 618.)

Uses

Same as palm-kernel oil and coconut oil: Edible purposes, soap making, candle making, paints, and lubricants.

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

CURCAS OIL (JATHROPA OIL) (PURGING NUT OIL)

Obtained from fruit of *Curcas purpurea* and other purging nuts from Cape Verde and Comoro Islands.

Uses

SOAP MAKING

"Used for soap making." (Wright and Mitchell, p. 514; Andes, p. 101.)

"The oil is used in Portugal for soap making, as an illuminant and as a lubricating oil; it can hardly be considered suitable for the last-named purpose as the oil dries in about 24 hours." (Lewkowitsch, vol. 2, p. 241.)

ILLUMINANT OR BURNING OIL

"Used as an illuminant or burning oil." (Lewkowitsch, vol. 2, p. 241; Wright and Mitchell, p. 514; Andes, p. 101.)

MEDICINAL PURPOSES

"It has marked purgative properties, and in India is used medicinally." (Wright and Mitchell, p. 514.)

"Used as a purgative and remedy for cutaneous eruptions." (Andes, p. 101.)

Possible substitution or interchangeability

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

DIKA-FAT GROUP (DIKA FAT, DIKA OIL, OBA OIL, WILD-MANGO OIL)

Dika fat is obtained from the seed kernels of various kinds of *Irvingia*; also from *Mangifera gabonensis* or *Irvingia gabonensis*, which trees are indigenous to the West Coast of Africa.

Uses

SOAP MAKING

"The fat would be useful for the soap industries." (Lewkowitsch, vol. 2, p. 672.)

CANDLE MAKING

"The fat would be useful for the soap and candle industries." (Lewkowitsch, vol. 2, p. 672.)

EDIBLE PURPOSES

"The fat would be useful for the soap and candle industries and might also be useful and might also prove suitable for edible purposes." (Lewkowitsch, vol. 2, p. 672.)

Possible substitution or interchangeability

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

DODDER OIL OR CAMELINE OIL

Obtained from the seeds of *Myagrum sativa*, grown in Holland, south Germany, Hungary, and south Russia.

Uses

EDIBLE PURPOSES

"The cold-drawn oil is occasionally employed for edible purposes." (Lewkowitsch, vol. 2, p. 143.)

"The oil obtained by cold expression is sometimes used for food after clarification." (Wright and Mitchell, p. 521.)

SOAP MAKING

"Its chief use, however, is for soap making." (Lewkowitsch, vol. 2, p. 143.)

"Used for soap making." (Andes, p. 137.)

"It is used in the manufacture of soft soap." (Wright and Mitchell, p. 521.)

BURNING OIL

"Used as a burning oil." (Andes, p. 137.)

ADULTERATION

"On account of its low price the oil is not likely to be adulterated. It is used in its turn for the adulteration of rape oil, in which it may be detected by a high iodine value." (Lewkowitsch, vol. 2, p. 143.)

"Used also, though incidentally, as an adulterant in linseed oil." (Andes, p. 137; Lewkowitsch, vol. 2, p. 143.)

"It is used as an adulterant of rape oil." (Wright and Mitchell, p. 521.)

Possible substitution or interchangeability

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oils, etc.

GRAPE SEED OIL

Obtained from the seeds of the grape.

Uses

EDIBLE PURPOSES

"The cold-drawn oil is used for food." (Wright and Mitchell, p. 516.)

"Used for edible purposes, same as olive oil and fats." (See "Olive Oil.") (Andes, p. 68.)

"An edible oil." (Elsdon, p. 241.)

AS A BURNING OIL

"Used as a burning oil." (Andes, p. 68; Wright and Mitchell, p. 516.)

SOAP MAKING

"Used for soap." (Andes.)

TURKEY RED OIL

"In Horn's opinion it is preferable to castor oil for the manufacture of Turkey-red oil." (Wright and Mitchell, p. 516.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

Imported grape seed oil could be refined and used for edible purposes and, if so, would compete with domestic corn, cottonseed, and peanut oils as a salad oil; when hydrogenated it would compete with domestic hydrogenated animal and vegetable oils, such as whale, fish, cottonseed, corn, peanut; also edible tallow, butter, and lard.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

FOR PAINTS AND VARNISHES

Imported grape-seed oil would compete for this purpose with domestic soybean oil.

HAZELNUT OIL

"This oil is obtained from hazelnuts (*Corylus avellana*), the yield being about 50 to 55 per cent." (Wright and Mitchell, p. 480.)

Uses

EDIBLE PURPOSES

"Used for edible purposes when fresh and cold pressed." (Andes, p. 60.)

SOAP MAKING

"The oil obtained by hot expression is used for soap making." (Wright and Mitchell, p. 480.)

"Used for soap making." (Andes, p. 60.)

LUBRICATION

"The oil obtained by hot expression is used for lubrication." (Wright and Mitchell, p. 480.)

"Used for machine oil." (Andes, p. 60.)

BURNING OIL

"The oil obtained by hot expression is used for burning." (Wright and Mitchell, p. 480.)

"Used as a burning oil." (Andes, p. 60.)

ADULTERATION

"The cold-drawn oil has a limited use in perfumery, and owing to its high price, is liable to be adulterated with olive oil." (Wright and Mitchell, p. 480.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

Imported hazelnut oil could be refined and used for edible purposes, and if so would compete with domestic corn, cottonseed, and peanut oils as a salad oil; when hydrogenated it would compete with domestic hydrogenated animal and vegetable oils such as whale, fish, cottonseed, corn, peanut; also edible tallow, butter, and lard.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

ILLIPE BUTTER (ILLIPE TALLOW)

Obtained from the seeds of *Bassia longifolia*, L. A tree indigenous to the southern part of India. A variety of this tree is also found in the Himalayas.

Uses

CANDLE MAKING

"Used in the manufacture of candles." (Holde, p. 440.)

"Used in candle making." (P. 532.)

CONFECTIONERY

"Used as a chocolate fat." (P. 532.)

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

LALLEMANTIA OIL

Obtained from the seeds of *Lallemantia iberica*, a plant belonging to the Labiatae, which grows wild in the Caucasus and in the steppes of Turkestan and is cultivated in Russia.

Uses

VARNISHES

"The oil belongs to the best drying oils, as indicated by its iodine value. * * * It may find technical application as a substitute for linseed oil in the preparation of varnishes." (Lewkowitsch, vol. 2, pp. 86-87.)

"A drying oil which resembles linseed oil." (Elsdon, p. 170.)

"According to Richter, it is superior to linseed oil in drying properties, a specimen of the oil heated at 150° C. drying completely in 24 hours." (Wright and Mitchell, p. 551.)

BURNING OIL

"Used as a burning oil." (Lewkowitsch, Vol. II, pp. 86-87.)

EDIBLE PURPOSES (LOCALLY)

"Used locally as an edible oil." (Elsdon, p. 170; Lewkowitsch, vol. 2, pp. 86-87.)

Possible substitution or interchangeability

PAINTS AND VARNISHES, LINOLEUM AND OILCLOTH

Would compete with linseed and soybean oils.

FOR SOAP MAKING

Would compete with linseed and soybean oil.

LUFFA (LOAFA) SEED OIL

Obtained from the seeds of the Loofah (*Luffa aegyptica*).

Uses

EDIBLE PURPOSES

"Used for edible purposes." (Andes, p. 102.)

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes it would be competitive with domestic butter, lard, hydrogenated peanut, corn, cottonseed, fish, whale, and soybean oils.

SOAP MAKING

Imported luffa-seed oil would be competitive for this purpose with domestic soap oils and fats, both vegetable and animal, such as lard, tallow, hardened fish, whale, soybean, peanut, cottonseed, and corn oils, etc.

MASCASSAR OIL (KUSUM OIL)

Obtained from seeds of *Schleichera trijuga*, which grows in India, Ceylon, and Malay Archipelago.

Uses

EDIBLE PURPOSES

"Locally it is used for burning and for medicinal and cooking purposes." (Andes, p. 191.)

"Used in the Indian villages as an illuminant and in the United Provinces for cooking purposes and medicinal purposes." (Lewkowitsch, vol. 2, pp. 564-566.)

AS A BURNING OIL

"Locally it is used for burning and for medicinal and cooking purposes." (Andes, p. 191.)

ILLUMINANT

"Used in the Indian villages as an illuminant and in the United Provinces for cooking purposes and medicinal purposes." (Lewkowitsch, vol. 2, pp. 564-566.)

MEDICINAL PURPOSES

"Locally it is used for burning and for medicinal and cooking purposes." (Andes, p. 191.)

"Used in the Indian villages as an illuminant and in the United Provinces for cooking purposes and medicinal purposes." (Lewkowitsch, vol. 2, pp. 564-566.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

MADIA OIL

Obtained from seeds of *Madia sativa*, a native plant of Chile and California.

Uses

EDIBLE PURPOSES

"The cold-pressed oil is employed for edible purposes." (Lewkowitsch, vol. 2, p. 148.)

"A semidrying oil, similar to sunflower in oils and seeds and similar in properties, suitable for edible purposes." (Elsdon, p. 176.)

"The cold-drawn oil is used as an edible oil." (Wright and Mitchell, p. 534.)

AS A BURNING OIL

"The oil is chiefly used for burning." (Lewkowitsch, vol. 2, p. 148.)

"Employed in the manufacture of soap and for burning and lubricating purposes." (Wright and Mitchell, p. 534.)

SOAP MAKING

"It is also used for soap making." (Lewkowitsch, vol. 2, p. 148.)

"Employed in the manufacture of soap and for burning and lubricating purposes." (Wright and Mitchell, p. 534.)

LUBRICATION

"Employed in the manufacture of soap and for burning and lubricating purposes." (Wright and Mitchell, p. 534.)

SAME USES AS SUNFLOWER OIL

Same uses as sunflower oil. (See Sunflower oil.)

There is no commercial production of madia oil anywhere at present.

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes madia oil when hydrogenated competes with domestic hydrogenated oils, such as corn, cottonseed, soybean, and peanut oils, hydrogenated whale and fish oils, also domestic lard, butter, and tallow.

As a salad oil madia oil competes with the following domestic salad oils: Corn, cottonseed, and peanut oils.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

MAFURA FAT

Obtained from the seeds of *Mafura oleifera*, a tree of East Africa.

Uses

SOAP MAKING

"Fat is especially suited for soap and candle manufacture." (Andes, p. 192.)

"Used in the manufacture of soap." (Wright and Mitchell, p. 622.)

CANDLE MAKING

"Fat is especially suited for soap and candle manufacture." (Andes, p. 192.)

Possible substitution or interchangeability

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

MALABAR TALLOW (PINNEY TALLOW)

Obtained from seeds of *Vateria indica*, L., a large evergreen tree growing in India and the East Indies.

Uses

SOAP MAKING

"Used in India for illuminating purposes and in the manufacture of soap." (Wright and Mitchell, p. 630.)

ILLUMINANT

"Used in India for illuminating purposes and in the manufacture of soap." (Wright and Mitchell, p. 630.)

CANDLE MAKING

"Used in the manufacture of candles." (Holde, p. 440.)

EDIBLE PURPOSES (LOCALLY)

"Used in India as an edible fat." (Lewkowitsch, vol. 2, pp. 589-591; Elsdon, p. 290.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

MANKETTI OIL (SANGA-SANGA OIL OR N'SANA OIL)

Manketti oil is obtained from nuts of *Ricinodendron khataneni*, a large tree indigenous to southwest Africa.

Sanga-sanga oil is obtained from seeds of *Ricinodendron africanum*, a plant which grows in French West Africa.

Uses

PAINTS AND VARNISHES

"Much like poppy-seed oil in varnish; manketti oil dries slower than linseed oil." (Holde, p. 429.)

"The oil (manketti oil) is a fairly good drying oil. The oil dries more slowly than linseed oil but forms a tougher film." (Andes, pp. 144-145.)

"Sanga-sanga oil is a drying oil which resembles tung oil in its behavior." (Andes, p. 145.)

"Pieraerts asserts (Jour. Soc. Chem. Ind., 1918, 430 A; Ann. du Musee, colon de Marseille, 1917, 5, 27-37) this oil (sanga-sanga oil) dries more rapidly than linseed oil." (Andes, p. 145.)

"An examination at the Imperial Institute shows these seeds (*Ricinodendron africanum*) to contain an oil which in its behavior resembled tung oil." (Andes, p. 45.)

Probably sanga-sanga oil could be substituted for tung oil and linseed oil.

Possible substitution or interchangeability

FOR PAINTS AND VARNISHES

Competes with domestic linseed oil.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

MARGOSA OIL

Uses

EDIBLE PURPOSES

"Used in the manufacture of vegetable butters or margarine." (Lewkowitsch, vol. 3, p. 58.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

MARIPA FAT

Obtained from the kernels of *Palma (attalea) maripa*, Aubl. A palm which is indigenous to the West Indies but which also occurs in South America.

Uses

EDIBLE PURPOSES

"Maripa fat is used as an edible fat in the West Indies and French Guiana." (Lewkowitsch, vol. 2, p. 624.)

"It is used in the West Indies as a substitute for butter." (Wright and Mitchell, p. 623.)

PHARMACEUTICAL USES

"It is also used in pharmacy." (Lewkowitsch, vol. 2, p. 624.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenate cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

MELON-SEED OIL (SELE, WATERMELON, IKPAN, SENAT)

"Sele oil is produced from a variety of melon seeds produced in the Belgian Congo. It yields a semidrying oil which 'is an excellent edible oil with good keeping properties.'" (Elsdon, p. 199.)

"Ikpan-seed oil is obtained in southern Nigeria from an unknown plant, probably of the family Cucurbitaceae, which grows profusely in the Cross River district. A sample examined at the Imperial Institute, on extraction with petroleum spirit, yielded 40 to 41 per cent of a pale yellow oil similar to cottonseed oil." (Andes, p. 105.)

"Senat-seed oil is the product of the senat plant, a kind of weed which grows extensively in the Sudan, and is cultivated in some districts. The seeds are obtained from Cucumis chate, a fruit of the melon type. The seed contains 29.5 to 38.4 per cent of oil, which is pale yellow, without smell, and has no unpleasant taste." (Andes, p. 104.)

Uses

Edible purposes, soap making, candle making, Turkey-red oil, and rubber substitutes.

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes, imported watermelon-seed oil and ikpan-seed oil would compete with domestic butter, lard hydrogenated peanut, corn, whale, fish, cottonseed, and soybean oils.

SOAP MAKING

Imported watermelon and ikpan seed oil would also be competitive for this purpose with domestic soap oils and fats, both vegetable and animal, such as lard, tallow, hardened fish, whale, cottonseed, soybean, peanut, and corn oils, etc.

MOWRAH-SEED OIL (MOWRAH BUTTER, MAHUA BUTTER)

"Obtained from the seeds of *Bassia latifolia*, a tree which is widely distributed in the northern province of India and is frequently cultivated in East India." (Lewkowitsch, vol. 2, pp. 528-530.)

Uses

EDIBLE PURPOSES

"Used in the manufacture of vegetable butters or margarine." (Lewkowitsch, vol. 3, p. 58.)

"Used as an edible fat in India." (Fryer and Weston, vol. 1, p. 150; Wright and Mitchell, p. 602.)

"Can be used for edible purposes." (Hilditch, p. 97.)

SOAP MAKING

"Used for soap making." (Fryer and Weston, vol. 1, p. 150; Wright and Mitchell, p. 602; Hilditch, p. 97.)

CANDLE MAKING

"Used for candle making." (Fryer and Weston, vol. 1, p. 150; Wright and Mitchell, p. 602; Hilditch, p. 97.)

"Used as a substitute for tallow in India." (Lewkowitsch, vol. 2, pp. 528-530.)

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

MUSTARD-SEED OIL

Obtained in Europe, Asia Minor, North America, and India from the seed of the black, white, or wild mustard plant.

Uses

EDIBLE PURPOSES

"Used for edible purposes, same as olive and other fat oils." (Andes, p. 96; Elsdon, pp. 207-208.)

SOAP MAKING

"Used in soap making and as a substitute for or adulterant in rape oil, to which it is closely similar." (Chalmers, p. 10.)

"The fatty oil is used as a lubricant, for the manufacture of soap, and as a burning oil." (Holde, p. 368.)

AS A BURNING OIL

"The fatty oil is used as a lubricant, for the manufacture of soap, and as a burning oil." (Holde, p. 368.)

"Used as a burning oil." (Andes, p. 96; Elsdon, pp. 207-208.)

INDIAN MUSTARD-SEED OIL

"It is pale yellow in color, has a slight odor and taste, and resembles the other mustard-seed oils in its chemical and physical characteristics. According to Le Sueur and Crossley, the natives of India use it as an edible and medicinal oil." (Mitchell and Wright, p. 501.)

WHITE MUSTARD-SEED OIL

This oil, obtained from the seeds of *Sinapis alba*, is used for lubricating and illuminating purposes.

"White mustard-seed oil is very similar to the black mustard oil in its chemical and physical properties, excepting that, as a rule, its iodine value is considerably lower." (Wright and Mitchell, p. 508.)

BLACK MUSTARD-SEED OIL

"In its chemical composition it closely resembles rape oil * * * the oil is obtained as a by-product in the manufacture of ethereal mustard oil. It is not suitable for burning; therefore is chiefly used for soap making. Efforts have been made lately to introduce this oil under the name 'Sinapol' for cosmetic and pharmaceutical purposes as a substitute for olive oil." (Lewkowitsch, vol. 2, pp. 271-272.)

Possible substitution or interchangeability

FOR SOAP MAKING

Could it be used for this purpose, and if so, it would be competitive with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

FOR EDIBLE PURPOSES

Could be used for edible purposes, and if so would compete with domestic cottonseed, corn, and peanut oils as a salad and cooking oil.

N'GART OIL

Obtained from fruit of *Plukenetia conophora*, a climbing plant in Cameroons.

Uses

EDIBLE PURPOSES

"The fruits are gathered by the natives and the expressed oil used for edible purposes." (Lewkowitsch, vol. 2, p. 72.)

"Used locally as an edible oil." (Elsdon, p. 178; Andes, p. 141.)

PAINTS AND VARNISHES

"The taste of the oil is similar to that of linseed oil. Its high iodine value also points to its use as a substitute for linseed oil." (Lewkowitsch, vol. 2, p. 72; Andes, pp. 132-141.)

"The oil is similar in its properties to linseed oil, and as the quantities available are by no means negligible, its use as a substitute for the latter is by no means unlikely." (Elsdon, p. 178.)

SOAP MAKING

"Its high iodine value also points to its use as a substitute for linseed oil." (Lewkowitsch, Vol. II, p. 72.)

"The oil is similar in its properties to linseed oil, and as the quantities available are by no means negligible, its use as a substitute for the latter is by no means unlikely." (Elsdon, p. 178.)

Possible substitution or interchangeability

PAINTS AND VARNISHES

Competitive with domestic linseed and menhaden oil.

SOAP MAKING

When hydrogenated it would be competitive with domestic oils and fats yielding hard soaps such as cottonseed, olive, peanut, hydrogenated fish, and whale oils, and for soft soaps it would be competitive with domestic drying oils such as soybean, menhaden, herring, etc.

NIGER-SEED OIL

Obtained from seeds of *Gruzotia oleifera*, cultivated on a large scale in India and Abyssinia, and to some extent in Germany, West Indies, and East Africa.

Uses

EDIBLE PURPOSES

"If the seed is first pressed in the cold, it yields an edible oil."

"The best qualities are employed as edible oil." (Journal Soc. Chem. 1905, p. 358.)

"It is largely used in India by the poorer classes, especially in the Deccan, as a substitute for ghee (butter fat)." (Lewkowitsch, vol. 2, p. 136; Andes, pp. 137-138.)

"The cold-pressed oil is the only one used for edible purposes. It is largely used in this way, especially in India, and of recent years quantities of the oil have been used in margarine manufacture in this country (England)." (Elsdon, pp. 178-179.)

SOAP MAKING

"The oil of the second expression is richer in free fatty acids, and is, therefore, used in soap making." (Lewkowitsch, vol. 2, p. 136.)

"Used for soap making." (Andes, pp. 137-138.)

PAINTS AND VARNISHES

"The oil of the second expression is richer in free fatty acids, and is, therefore, used as a substitute for linseed oil." (Lewkowitsch, vol. 2, p. 136.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes nigerseed oil when hydrogenated competes with domestic hydrogenated oils such as corn, cottonseed,

sunflower, and peanut oils, hydrogenated whale and fish oils; also domestic lard, butter, and tallow.

As a salad oil, nigerseed oil competes with the following domestic salad oils: Corn, cottonseed, and peanut oils.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, sunflower, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

OTITICICA FAT

Obtained from kernels of *oiticica* (several species of *Moquilea* and *Conepia*, belonging to the *Rosaceae*), which is indigenous to Brazil.

"Resembles tung oil." (Morrell and Wood, pp. 67-68.)

Uses

PAINTS AND VARNISHES

"It is an oil which should be of value in the manufacture of paints, varnishes, and linoleum." (Wright and Mitchell, p. 569.)

"This oil may be regarded as a possible substitute for tung oil in the manufacture of varnishes and linoleum." (Andes, p. 121.)

LINOLEUM

"It is an oil which should be of value in the manufacture of paints, varnishes, and linoleum." (Wright and Mitchell, p. 569.)

"This oil may be regarded as a possible substitute for tung oil in the manufacture of varnishes and linoleum." (Andes, p. 121.)

Possible substitution or interchangeability

PAINTS AND VARNISHES

It would be competitive with domestic linseed and menhaden oils.

LINOLEUM

It would be competitive with domestic linseed and menhaden oils.

SOAP MAKING

When hydrogenated, it would be competitive with domestic oils and fats yielding hard soaps such as cottonseed, olive, peanut, hydrogenated fish and whale oils, and for soft soaps it would be competitive with domestic drying oils such as soybean, menhaden, herring, etc.

PARAGUAY PALM-NUT OIL (MOCAYA OIL, MOCAYA BUTTER, MOCAYA BUTTER)

From kernels of *Acrocomia sciocarpa*, a tree similar to coconut palm and which grows in vast forests in South America, particularly in Paraguay.

"The kernels contain 60 to 70 per cent of a fat which greatly resembles coconut oil in its color, odor, and consistence." (Lewkowitsch, vol. 2, p. 619.)

Uses

EDIBLE PURPOSES

"If obtained from fresh fruits, so that there is not more than 10 per cent of free acids, it could be refined for margarine making. Its value is slightly below that of palm oil." (Elsdon, pp. 351-352.)

Also used in chocolate fats and butter substitutes. "Well refined palm-nut oil is said to have as good keeping qualities as coconut." (Laucks, p. 89.)

SOAP MAKING

"Oil is used for soap making." (Laucks, p. 89.)

"The oil is suitable for soap manufacture." (Elsdon, pp. 351-352.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

PEACH-KERNEL OIL

Obtained from peach kernels. It resembles almond oil very closely.

Uses

EDIBLE PURPOSES

"An edible oil." (Elsdon, pp. 252-256.)

MEDICINAL AND COSMETIC

"Same as olive oil." (Andes, p. 56.)

ADULTERATION

"The oil is chiefly used for adulteration or for substitution of almond oil. The commercial 'Almond Oil, Fr.' is frequently a mixture of peach-kernel oil with apricot-kernel oil. * * * Peach-kernel oil is adulterated in its turn with poppy-seed oil; in some cases commercial peach-kernel oil was found to be hazelnut oil." (Lewkowitsch, vol. 2, pp. 292-295.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES AND PHARMACEUTICAL PURPOSES

Competitive with almond, plum kernel, cherry kernel, apricot kernel, and olive oils; also with refined seed oils, such as cottonseed, corn, soybean, sesame, and peanut oils for salad oil and as a cooking oil; also with butter and lard.

PLUM-KERNEL OIL

Obtained from plum kernels.

Uses

EDIBLE PURPOSES

"According to De Negri and Fabris, it is used, especially in Wurtemberg, as an edible oil and for burning." (Wright and Mitchell, p. 497.)

"Used for edible purposes." (Andes, p. 57.)

ADULTERATION

"It resembles almond oil in its characteristics and is sometimes used to adulterate that oil." (Wright and Mitchell, p. 497.)

"The oil is chiefly used to adulterate almond oil." (Lewkowitsch, vol. 2, p. 292.)

AS A BURNING OIL

"According to De Negri and Fabris, it is used, especially in Wurtemberg, as an edible oil and for burning." (Wright and Mitchell, p. 497.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES AND PHARMACEUTICAL PURPOSES

Competitive with almond, peach-kernel, cherry-kernel, apricot-kernel, and olive oils; also with refined seed oils, such as cottonseed, corn, soybeans, sesame, and peanut oils for salad oil and as a cooking oil; also with butter and lard.

POLI OIL

Obtained from seeds of *Carthamus oryctantha*, a wild plant which grows in northwest India.

Uses

EDIBLE PURPOSES

"Used for food purposes in India." (Andes, p. 152.)

"A yellow oil is obtained by expression, which has been used as an adulterant of ghee, so that there seems no reason to suppose that it may not be used legitimately as a substitute for ghee and as a constituent of edible fats." (Elsdon, p. 181.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes poli oil, when hydrogenated, competes with domestic hydrogenated oils, such as corn, cottonseed, soybean, and peanut oils; hydrogenated whale and fish oils; also domestic lard, butter, and tallow.

As a salad oil, poli oil competes with the following domestic salad oils: Corn, cottonseed, and peanut oils.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils; and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

PAINTS AND VARNISHES

Competes with domestic linseed oil.

PUMPKIN-SEED OIL

Pumpkin-seed oil is obtained by expression or extraction from the decorticated seeds of *Cucurbita pepo*.

Uses

EDIBLE PURPOSES

"It is largely used as an edible oil, particularly in Austria and Hungary. Poda states that in Austria-Hungary it ranks next to olive oil in price. The oil obtained by cold expression is viscous and of a brownish-green color, that extracted by means of solvents being of a redder color." (Wright and Mitchell, p. 538.)

"The better qualities are used for edible purposes." (Andes, p. 102.)

"The cold-drawn oil is used for edible purposes in Austria, Hungary, and Russia; the oil from a large cucumber grown on the Slave Coast is said to surpass olive oil in flavor." (Lewkowitsch, vol. 2, pp. 164-166.)

BURNING OIL

"The lower qualities of pumpkin-seed oil serve as a burning oil." (Lewkowitsch, vol. 2, pp. 164-166.)

"The crude grades are used for burning in lamps." (Andes, p. 102.)

ILLUMINATING

"It is largely used as an illuminating oil, particularly in Austria and Hungary." (Wright and Mitchell, p. 538.)

ADULTERATION

"The edible oil is frequently adulterated with linseed, cottonseed, sesame, and rape oils." (Lewkowitsch, vol. 2, pp. 164-166.)

"The oils principally used for adulterating pumpkin-seed oil are linseed, sesame, cottonseed, and rape oils." (Wright and Mitchell, p. 539.)

VERMIFUGE

"The oil extracted with ether is also employed as a vermifuge." (Wright and Mitchell, p. 538.)

SOAP MAKING

"During the war pumpkin seed from a variety of pumpkin which contains much seed was used in Rumania as a source of oil. This yielded on extraction with petroleum ether 40 to 42 per cent of a green oil, which was found suitable for soap making." (Andes, p. 102.)

LUBRICATION

"During the war pumpkin seed from a variety of pumpkin which contains much seed was used in Rumania as a source of oil. This yielded on extraction with petroleum ether 40 to 42 per cent of a green oil, which was found suitable for lubricating greases." (Andes, p. 102.)

Possible substitution or interchangeability

EDIBLE PURPOSES

Imported pumpkin-seed oil for this purpose would compete with domestic butter, lard, hydrogenated whale, fish, cottonseed, peanut, corn, and soybean oils.

SOAP MAKING

Imported pumpkin-seed oil would be competitive for this purpose with domestic soap oils and fats, both vegetable and animal, such as lard, tallow, hardened fish, soybean, peanut, whale, cottonseed, and corn oils, etc.

SAFFLOWER OIL

Obtained from seeds of saffron plant, *Carthamus tinctorius*.

"It is dextro-rotary and resembles walnut and poppy oils in its general characteristics." (Wright and Mitchell, p. 574.)

Uses

EDIBLE PURPOSES

"It has a pleasant taste simulating that of sunflower oil so that it can be largely used for edible purposes." (Lewkowitsch, vol. 2, pp. 106-111.)

"An edible oil and also a drying oil." (Elsdon, pp. 183-184.)

"In India it is used as a drying oil and also for cooking." (Wright and Mitchell, p. 574.)

SOAP MAKING

"Safflower oil possesses good drying powers and, although it can not replace linseed oil in all its applications, it should certainly form a substitute for it in many instances and find extended use in the manufacture of soft soap." (Lewkowitsch, vol. 2, pp. 106-111.)

LINOLEUM

"Used in India for producing linoleum." (Lewkowitsch, vol. 2, p. 111.)

USED AS A BURNING OIL

"Used in Egypt as a burning oil." (Lewkowitsch, vol. 2, p. 111.)

PAINTS AND VARNISHES

"An edible oil and also a drying oil." (Elsdon, pp. 183-184.)

"In India it is used as a drying oil and also for cooking. Mixed with latharge it absorbed 8.2 per cent of oxygen (Mann and Kanitkar). White-lead paints prepared with safflower oil dry with a more glossy surface than those made with boiled linseed oil." (Wright and Mitchell, p. 574.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes foreign safflower oil when hydrogenated would be competitive with domestic hydrogenated oils, such as corn, cottonseed, soybean, and peanut oils, hydrogenated whale and fish oils; also domestic lard, butter, and tallow.

As a salad oil, foreign safflower oil would be competitive with the following domestic salad oils: Corn, cottonseed, and peanut oils, etc.

PAINTS AND VARNISHES

Imported safflower oil for this purpose is competitive with domestic drying oils, such as linseed, soybean, walnut, hempseed, etc. Domestic safflower oil when available would be in competition with similar foreign drying oils, such as perilla, lumbang, tung, hempseed, etc.

LINOLEUM

Domestic safflower oil when available would be in competition with foreign oils, such as perilla, tung, hempseed, n'gart, lumbang, etc. Imported safflower oil competes with domestic products and also with domestic menhaden oil.

SOAP MAKING

Imported safflower oil competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

SARVARI FAT (SUARI FAT OR SURAHWA FAT)

From seeds of *Caryocar Butyrosom*, Willd, or *C. Tornentosum* or *C. Nuciferum*.

Uses

EDIBLE PURPOSES

"The fat, which is a firm, brittle solid, is snow white in color, practically odorless, and with a very pleasant taste. It is an edible fat, par excellence, but owing to the fact that it does not mold well, is unsuitable alone as a cacao butter substitute; but if mixed with softer fats the difficulty might be overcome. Needless to say, it would serve, in admixture with suitable oils, as a margarine fat, lard substitute, or baking fat." (Elsdon, pp. 294-295.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

FOR CANDLE MAKING

Competitive for this purpose with domestic tallow and other hard fats.

SHEA BUTTER (BAMBUK BUTTER, KARITE OIL, GALAM BUTTER)

"Obtained from the seeds of *bassia parkii*, a tree resembling the American oak, which grows to a gigantic size and occurs in enormous quantities on the West Coast of Africa and in the French and English Soudan." (Lewkowitsch, vol. 2, p. 534.)

Uses

EDIBLE PURPOSES

"Used in the manufacture of vegetable butter or margarine." (Lewkowitsch, vol. 3, p. 58.)

"It is used as an edible fat in west Africa and is now exported for manufacture into a lard substitute, whilst the 'stearine' separated from the fat is used as a chocolate fat." (Mitchell, p. 89; Wright and Mitchell, p. 631.)

"Although not hitherto obtained in a sufficiently pure state for European edible purposes, there is no doubt that this could be effected by the use of scientific methods of extraction." (Hilditch, p. 97.)

CANDLE MAKING

"Used in the manufacture of candles." (Holde, p. 440.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils; butter; edible tallow; lard; edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

STILLINGIA OIL

Obtained from the seeds of the Chinese tallow tree, known as *Stillingia sebifera*, which is grown extensively in China, northwestern India, the Punjab, and the West Indies. The tree has also been introduced into California, South Carolina, Florida, and Texas.

Uses

PAINTS AND VARNISHES

"Stillingia oil has very good drying powers, absorbing 8.72 per cent and 12.45 per cent of oxygen after two and eight days, respectively, in Livache's test." (Lewkowitsch, vol. 2, p. 92.)

"The seeds contain two kinds of oils, that in the mesocarp yielding Chinese vegetable tallow, whilst the kernels yield a drying oil which, although not exported to any extent, might be used as a substitute for linseed oil." (Elsdon, p. 184.)

"Resembles linseed oil slightly." (Elsdon, p. 184.)

"A good drying oil." (Hilditch, p. 107; Laucks, p. 41.)

"It resembles linseed oil in character, being a very good drying oil, but can be distinguished from that oil by its strong laevo-rotatory power." (Wright and Mitchell, p. 575.)

Possible substitution or interchangeability

PAINTS AND VARNISHES

Imported stillingia oil would be competitive with domestic linseed and menhaden oils.

SOAP MAKING

Imported stillingia oil when hydrogenated would be competitive with domestic oils and fats yielding hard soaps, such as cottonseed, olive,

peanut, hydrogenated fish and whale oils, and for soft soaps it would be competitive with domestic drying oils, such as soybean, menhaden, herring, etc.

SUNFLOWER OIL

It is extracted from the seeds of the sunflower (*Helianthus annuus* L.) grown on large scale in South Russia, Hungary, China, and India.

Uses

EDIBLE PURPOSES

"Used as an edible oil." (Wright and Mitchell, p. 576; Mitchell, p. 70; Gill, p. 116; Laucks, p. 47.)

"The sunflower is cultivated for the sake of its seeds on an immense scale in Russia, Italy, India, and China. The seeds, raw or roasted, are used in Russia as an article of diet. The oil recovered from them by crushing is, when refined, considered by some to equal olive oil for edible purposes." (Chalmers, p. 10.)

"In Russia sunflower oil is used in the manufacture of margarine, and mixtures of this oil with coconut oil, butter, and oleomargarine are even fraudulently substituted for genuine butter." (Lewkowitsch, vol. 2, p. 37.)

"The cold-pressed oil is an excellent edible oil, being largely used as a salad oil and for the manufacture of margarine." (Elsdon, p. 185.)

"Used in the manufacture of margarine." (Lewkowitsch, vol. 2, pp. 136-140; Elsdon, p. 186; Wright and Mitchell, p. 577.)

"The oil obtained from the seeds is considered to equal olive oil for edible purposes." (Martin, p. 61.)

"Used as an edible oil, like olive and other vegetable oils." (Andes, p. 132.)

SOAP MAKING

"Its chief use, however, is in soap and candle making." (Chalmers, p. 10.)

"The hot-expressed oil is employed in soap making (soaps for textile purposes). Unless the oil contains a high proportion of free fatty acids it is unsuitable for soap making by the cold process." (Lewkowitsch, vol. 2, pp. 136-140.)

"For soap." (Martin, vol. 1, p. 12; Andes, p. 132; Laucks, p. 47; Gill, p. 116.)

PAINTS AND VARNISHES

"It is also used for the manufacture of Russian varnishes." (Lewkowitsch, vol. 2, pp. 136-140.)

"A drying oil but inferior to linseed oil." (Elsdon, p. 186.)

"Used in paints in place of linseed oil." (Andes, p. 132.)

"A slow drying oil, used in some varnishes." (Laucks, p. 47; Wright and Mitchell, p. 576; Gill, p. 116.)

CANDLE MAKING

"Used in candle making." (Chalmers, p. 10.)

ILLUMINANT OR BURNING OIL

"Used as a burning oil or illuminant." (Wright and Mitchell, p. 576; Gill, p. 116.)

ADULTERATION

"Uses, for adulterating other oils such as olive oil." (Gill, p. 116.)

"It is sometimes used as an adulterant of olive oil and as a substitute for cottonseed oil and other seed oils." (Elsdon, p. 186.)

"Sunflower oil is sometimes used to adulterate olive oil (Allen)." (Wright and Mitchell, p. 577.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes sunflower oil when hydrogenated competes with domestic hydrogenated oils such as corn, cottonseed, soybean, and peanut oils, hydrogenated whale and fish oils; also domestic lard, butter, and tallow.

As a salad oil, sunflower oil competes with the following domestic salad oils: Corn, cottonseed, and peanut oils.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut and corn oils, and hydrogenated drying oils such as linseed oil, fish oils, whale oil, etc.

TOMATO-SEED OIL

Obtained from seeds of tomato. A waste product of tomato canning industry of the United States and Italy.

Can be made from residue of tomato canning and ketchup making.

Uses

EDIBLE PURPOSES

"The oil is suitable for culinary and salad purposes." (Andes, p. 98.)

"It is estimated that in the United States about 300,000 tons of tomatoes are annually pulped, and that the moist waste amounts to about 16,000 tons, corresponding to approximately 5,300 tons of dry waste, yielding about 1,500 tons of dry seeds and 1,800 tons of dry skins. Under the present conditions about 343 tons per annum of tomato-seed oil would be available in the United States. Experiments have shown that the oil has a digestibility value of 97, which compares

favorably with the value of olive, almond, and cottonseed oils. It would be useful as a culinary and salad oil and would probably yield a satisfactory hydrogenation product for margarine." (Elsdon, pp. 210-211.)

SOAP MAKING

"It is stated to yield a soap of good texture and having excellent lathering properties." (Andes, p. 98.)

"By cold saponification with caustic soda it yields a soap of good texture with excellent lathering properties. The oil is of a pale yellow color having a pleasant nutlike odor and taste. It has pronounced drying properties of the order of those of cottonseed oil." (Elsdon, pp. 210-211.)

Possible substitution or interchangeability

EDIBLE PURPOSES

For margarine and lard substitutes, domestic tomato-seed oil, when hydrogenated, and if available would be competitive with foreign vegetable fats, such as coconut, palm-kernel oil, and similar fats, and with hydrogenated whale, fish, soybean, peanut and corn oils, etc.; imported tomato-seed oil for this purpose would compete with domestic butter, lard, hydrogenated, peanut, corn, and soybean oils. For salad oils, such foreign oils as poppyseed, rape, kapok, and sesame would be competitive with domestic tomato-seed oil; imports of peanut, sunflower, soybean, and olive oils would also be competitive with domestic tomato-seed oil for this purpose; imported tomato-seed oil would be competitive with domestic peanut, corn, and cottonseed oils, or salad oils.

SOAP MAKING

Domestic tomato-seed oil would be, if available, in competition with foreign soap oils and fats both vegetable and animal, such as hardened fish oils and hardened marine animal oils and most of the liquid and solid vegetable oils and fats including coconut, palm-kernel, soybean, rape, and mustard oils, etc. Imported tomato-seed oil would also be competitive for this purpose with domestic soap oils and fats, both vegetable and animal, such as lard, tallow, hardened fish, soybean, peanut, whale, cottonseed, and corn oils, etc.

TUCAN-KERNEL OIL

Obtained from kernels of the palm, *Astrocaryum Valgare*, mart, growing abundantly in Central America.

Uses

"The fat is similar to palm-kernel oil, but is harder and has a somewhat higher melting point. It should be of value for all those purposes for which palm-kernel oil is used." (Elsdon, p. 353.)

See uses listed under palm-kernel oil.

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

For margarine and lard substitutes, it is competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

FOR SOAP MAKING

Competes for this purpose with all domestic soap-making oils and fats, including cottonseed, soybean, peanut, and corn oils, and hydrogenated drying oils, such as linseed oil, fish oils, whale oil, etc.

WALNUT OIL

Obtained from the kernels of the walnut tree (*Juglans regia* L.).

Uses

EDIBLE PURPOSES

"An edible oil." (Mitchell, p. 71; Elsdon, pp. 185-186; Andes, p. 130.)

"Good grade oil is used in Europe for edible purposes." (Laucks, p. 42.)

"The cold-pressed oil, when fresh, is occasionally used as an edible oil, but the hot-pressed oil has a sharp and disagreeable flavor. It soon becomes rancid, and is then said to have a purgative effect." (Wright and Mitchell, pp. 584-585.)

PAINTS

"Used in white paints." (Mitchell, p. 71.)

"The best qualities of walnut oil are almost colorless; such oil is therefore preferred to any other for the making of white paints for artists. These paints are less liable to crack than the paints made with linseed oil." (Lewkowitsch, vol. 2, pp. 102-103.)

"Used for oil colors." (Andes, p. 130.)

"The oil has good drying properties and is used in special grades of paints for artists' use. Such paints are less liable to crack than linseed-oil paints." (Laucks, p. 42.)

"It is also employed as a lamp oil, but its chief use is as a medium for white paint, for which its pale color renders it more suitable than linseed oil." (Wright and Mitchell, pp. 584-585.)

"In consequence of the absence of color, these oils (walnut oil and poppy-seed oil), which have practically the same 'drying' properties as linseed oil, are used in the production of the most superior classes of paints and notably in artists' colors." (Hilditch, p. 110.)

SOAP MAKING

"Walnut oil containing considerable amounts of free fatty acids is used in the manufacture of soft soaps." (Lewkowitsch, vol. 2, p. 103.)

"Used for soap making." (Andes, p. 130.)

"High-acid oil is unsuitable for paints and is used for soft soap." (Laucks, p. 42.)

AS A BURNING OIL

"Used as an illuminant or burning oil." (Andes, p. 130; Wright and Mitchell, pp. 584-585.)

ADULTERATION

"It may be adulterated with linseed, sesame, peanut, or resin oil." (Mitchell, p. 71.)

"Walnut oil has good drying powers. Its comparatively high price acts as an incentive to adulterate it with linseed oil. * * * Walnut oil in its turn is used as an adulterant of olive oil, its higher iodine absorption being corrected by the addition of lard oil." (Lewkowitsch, vol. 2, pp. 102-103.)

"Walnut oil is generally high priced and may be adulterated by linseed, poppy, etc." (Laucks, p. 42.)

"According to Kebler, it is very extensively adulterated in America. * * * Walnut oil is sometimes also adulterated with sesame and earthnut oils, and with rosin oils, and is itself used as an adulterant for olive oil." (Wright and Mitchell, pp. 584-585.)

Possible substitution or interchangeability

FOR EDIBLE PURPOSES

As a salad oil it would be competitive with domestic oils, such as olive, cottonseed, corn, peanut, soybean, etc. For margarine and lard substitutes it would be competitive with domestic oils and fats, such as hydrogenated cottonseed, corn, soybean, and peanut oils, butter, edible tallow, lard, edible hydrogenated fish and whale oils, etc.

PAINTS

As a paint oil it is used chiefly in Europe in the making of artists' colors; in China and Europe it is used to some extent for edible purposes.

It would be competitive with linseed, almond, peach kernel, apricot kernel, and plum kernel oils.

SOAP MAKING

When hydrogenated, it would be competitive with oils and fats yielding hard soaps such as hydrogenated cottonseed, olive, peanut, fish and whale oils, and for soft soaps, competitive with domestic drying oils such as soybean, menhaden, herring, etc.

Mr. SHEPPARD. Then finally there is an Exhibit I, summarizing the subject of hydrogenation and interchangeability.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

EXHIBIT I

HYDROGENATION AND INTERCHANGEABILITY

The discovery and subsequent development of the process of hydrogenation or the hardening of liquid oils has revolutionized the oil and fat industry.

By the process of hydrogenation a liquid oil can be converted into a solid fat of any desired consistency, depending on the extent to which the hardening process is carried. Coupled with this development, have come improved processes for refining and deodorizing oils and fats so that a wide range of raw materials can now be used to produce a tasteless, odorless oil or fat suitable for edible purposes either as a salad oil, as a butter substitute, or lard substitute. In fact, Lewkowitsch states that almost all of the vegetable cold-drawn oils, when prepared from fresh seeds or fruits, are suitable for edible purposes. In soap making, except for certain specialized types, it can now be made from almost any kind of oil, fat, or grease, so far as the technical possibilities are concerned, although, of course, some materials are preferable to others.

The following excerpts from statements of various authorities give a survey of the significance of the process of hydrogenation:

"Most of the vegetable cold-drawn oils, if prepared from fresh seeds or fruits, are suitable for edible purposes, as also for the preservation of foodstuffs (e. g., olive oil in the sardine industry). Hence practically every vegetable oil with the exception of those containing toxic substances (op. tung oil, candle-nut oil, calophylluma, castor oil, curcas oil, croton oil, and also the oils from the *Byronia dioica* and *Cytisus laburnum* and the oils belonging to the *chaulmoogra* group) or unpleasant ethereal oils like mace butter, may be and indeed is so employed as has been pointed out already in chapter 14. Naturally much depends on the demand made as to palatableness, by the population in the various countries of the world. Thus, whereas rape oil and linseed oil find a ready market for edible purposes in India these oils are at present only used in exceptional cases as table oils in western Europe. They are replaced in richer countries by cottonseed oil, sesame oil (arachis), peanut oil, poppy-seed oil, and olive oil." (Lewkowitsch, vol. 3, p. 26.)

"For years the dream of the oil chemist was to find a solution to the problem of converting oleic acid into stearic acid or olein into stearin, simply by the addition of hydrogen so as to make valuable hard fats

from relatively cheap material. * * * Now the problem is solved and in different parts of the globe dozens of plants turning out daily enormous quantities of 'hardened oil' prepared by the treatment of vegetable or other oil with hydrogen have been established. So eagerly has the oil-handling world lent itself to the idea that already the stearin market has lost its firmness and much speculation is rampant as to the nature of price readjustments which, perhaps, are on the way. Unquestionably hydrogenation or hardened oil has taken its place in the oil market as a staple product." (Ellis, p. 1.)

"By varying the duration of the hydrogenating process it is possible to convert oils into fats of any desired degree of hardness, from a soft fatlike butter to a hard tallow of high melting point. The longer the hydrogenation is continued the lower becomes the iodine value, until eventually it becomes practically nil. The refractometer value is also reduced, but the acid value, saponification value, and amount of unsaponifiable matter are but little affected. In the case of oils containing hydroxyl groups, such as a castor oil, the hydroxyl value is lowered (Normann and Hugel)." (Wright and Mitchell, p. 454; Mitchell, p. 113.)

Uses of hydrogenated oils.—In the earlier applications of oils hardened by hydrogenation the candle industry and soap industry were first benefited, and it was only at a somewhat later stage that edible products were prepared. A hydrogenated oil intended for technical purposes was made from whale oil in Germany, and sold under the name "candlelite."

"The simplification of the hydrogenation process has led to the use of such products in place of the mixtures of oils and fats previously used for the preparation of margarine, artificial lard, and the like. Instead of mixtures of cottonseed or similar oils with oleostearin, cottonseed oil, or other oils, either alone or in admixture with soft fats, such as coconut oil, are hydrogenated until of the desired consistency for margarine. In some factories hydrogenated oils are blended with fats or oils which have not been treated by the process, but Ellis considers that better results are obtained by using a single oil hydrogenated to the desired extent." (Wright and Mitchell, pp. 456-457.)

"Another use of hydrogenated oils is in the manufacture of lubricants and mixtures containing such products are upon the market." (Wright and Mitchell, p. 457.)

"By the so-called method of hardening fats and oils—that is, by treating them with hydrogen—they are converted from the cheaper liquid into the higher-priced solid form, but their taste and odor are so improved that they might serve for culinary purposes, while without being subjected to the hardening process, they could not possibly be thus employed. Even the various grades of fish oil can thus be rendered available as food materials. * * * By this hardening process even the waste fats (foots) obtained in refining can be utilized not only for soap making but also for foodstuffs. In short, by suitable treatment with hydrogen, all oleaginous matter may be converted into edible substances." (Dr. Hugo Schewitzer, in an address before German University League, New York City, February 3, 1915, Ellis, p. 349.)

"The total cost of the hardening operation differs widely in different places, and varies some with the degree of hardness to be produced. It is said to average around 1 cent per pound. In some places it has been done for a commercial toll of 1½ cents, which presumably leaves a profit." (Thompson, Special Agents Series Bureau of Foreign and Domestic Commerce; Ellis, p. 352.)

"As an instance of the commercial applicability of the hydrogenation process, we may look for a moment at the soap-making industry. The ideal substance for the soap maker to work with may be said to be tallow. It is a firm substance and yields a firm soap such as we are accustomed to. Tallow, however, is expensive and is obtainable only in strictly limited amounts. (This was written during the World War.) The soap maker accordingly falls back upon some of the harder oils, such as coconut oil, palm oil, and palm-kernel oil. These oils are also expensive and are in increasing demand in other industries. If, however, the soap maker tries to replace them with one or other of the abundant naturally liquid oils, such as whale oil, soybean oil, and so on, his product loses greatly in quality, and is apt to be a soft, sticky mass, unusable or unsalable as soap for many purposes. By hardening these oils before using them in the soap kettle, he obtains a substance practically identical with tallow without affecting the yield from them of that valuable by-product of the soap-making industry—glycerin. The hydrogenation process thus throws open to the soap maker a wide range of oils which otherwise would be next to useless for his purpose." (Chalmers, pp. 106-107.)

"Similar remarks apply to the candle-making industry, which, again, calls largely for fats rather than oils. For certain edible productions, notably margarine and chocolate, fats are now in demand to a greater extent than can be conveniently met from natural sources of supply. (This was written during the World War.) Whatever may be the case to-day—it is very difficult to find out exactly how matters do stand at present—it is certain that artificially hardened oils will soon be in extensive and acknowledged use for edible purposes. Just for the moment there is a feeling of uncertainty as to this employment of them, for it is not yet settled how far the possible presence in the hardened oils of a small amount of the nickel or other catalyst is harmful to the human constitution.

"The chief oil hardened at present is whale oil. Increasing quantities of cottonseed, linseed, soybean, coconut, and other oils are, however, also being subjected to the process, so that the subject is one quite properly falling within the scope of this volume.

"* * * Hardened oils are white, tasteless, odorless substances of tallow-like consistency. Theoretically, at least, they should all be identical, whatever may be the particular oil started with, and in practice such identity seems to be attained, at least in the oil freshly hardened, but there is some uncertainty whether a hardened oil, if kept long enough will or will not develop some characteristics of its parent. Thus, hardened whale oil may, sooner or later, develop a fishy smell, and hardened coconut oil the characteristic smell of coconuts. In practice, however, the oils are usually hardened at the soap works, or wherever else they are used, or are otherwise employed with but little interval between being hardened and being treated in industrial processes." (Chalmers, p. 107.)

Mr. SHEPPARD. I trust that what I have said will justify the Senate in not placing on the free list palm-kernel oil, sesame oil, and the other oils mentioned in this amendment. It would merely mean that they would come in competition with articles which can be produced here, and which are just as good used for the same purposes.

(During the course of Mr. SHEPPARD'S speech, the following letters were offered by Mr. FESS for printing in the RECORD, and were ordered printed at the end of Mr. SHEPPARD'S remarks:)

MONTANA STATE FARM BUREAU,
Clarkston, Mont., March 13, 1929.

Mr. JOHN B. GORDON,
Washington, D. C.

DEAR SIR: I can see no excuse for raising the tariff on nonedible oils that do not come into competition with locally produced oils just to increase our costs that much.

I am strong for getting the farmer what he is entitled to but do not make demands that are out of line with good judgment. Some of the high-tariff people are doing just that thing, and the "kick back," I am thinking, is going to be unpleasant.

Yours very truly,

W. L. STOCKTON.

WEST VIRGINIA STATE GRANGE,
Walker, W. Va., March 8, 1929.

Mr. JOHN B. GORDON,
Washington, D. C.

DEAR SIR: You will pardon my delay in answering your former brief, but it is better late than never. I wish to assure you that I have been very much interested in this very thing and have been working against this matter for some time. Therefore, I have given much study to your former brief and have put it squarely before the leading farmers and dairymen of our State, and especially before the members of our order, and was just about ready to make the reply when I received your letter containing a second brief. Now, just permit me to say without making a long report of the matter—and as I have been discussing and cussing this same thing with our agricultural people of the State—that we are unanimously against any such a tariff on nonedible oils and fats. Certainly no sound-thinking farmer, possessing two good grains of horse sense would concede to a 45 per cent ad valorem placed on the aforesaid articles. Also we are opposed to any other product going on our market which would come in competition with the dairy or any of our agricultural products.

Now, Brother Gordon, you will see by this letter that I am no college professor nor a city lawyer—just a plain farmer down in West Virginia, who is trying to pound out an honest-to-God living out of the dear old hills of my State, who can just use little barnyard language. But I confess I have pretty rough sledding to make a living, wear decent clothes, and pay taxes, and keep out of debt. If I can be of service to you in any honest way, let me know. Thank you.

THE UNIVERSITY OF NEBRASKA,
Lincoln, March 11, 1929.

Mr. J. B. GORDON,
1251 National Press Building, Washington, D. C.

DEAR SIR: Your letter of March 5 directed to Chancellor Burnett has been referred to me for reply.

I like the suggestion that you make concerning the denaturizing of the vegetable oils imported into this country. If the plan works, and according to your letter that is already proven, we would have cheap oils for soap manufacture and yet not have these oils entering into direct competition with our dairy products.

Another thing that farmers need to consider is that we can not shut all foreign products out of the United States with a prohibitive tariff and at the same time have large foreign markets for our surplus products. I feel that, while possibly a few items in some of our tariff

schedules may need an increase, there is much greater need for a decrease of the tariff on many items in some of the other schedules. As a matter of course, I know that this is not a popular viewpoint. The purchasing power of most farm products is, however, relatively low and foreign demand for cotton, pork, and some of the other things of which we can produce a surplus is seriously curtailed, because we do not permit other nations to pay for these products in the only way that they can pay for them—that is, with goods.

Yours very truly,

H. C. FILLLEY,
Professor of Rural Economics.

STATE OF NEW HAMPSHIRE,
DEPARTMENT OF AGRICULTURE,
Concord, March 20, 1929.

BUREAU OF RAW MATERIALS,
Suite 1251, National Press Building, Washington, D. C.
(Attention John B. Gordon.)

MY DEAR MR. GORDON: I have your letter of the 16th relative to the tariff on fats and oils.

In studying the three groups as outlined in the chart, I believe you are dead right. The middle group and the last three in the bracket of the first group ought to cover everything that would trouble the dairy interests in any way, and the others processed as planned by rendering them unfit for use as food would take care of the matter very satisfactorily as far as the farmers are concerned and would not materially affect their interests in a harmful way. I would not suppose that the dairy interests would object to such a plan as this outlined.

I note there is a movement on foot with the dairy interests to tax the fats and oils coming in from the Philippine Islands. Personally, I think that would be the greatest mistake that could be made. There is a moral obligation that the United States owes to the people of the islands we can not afford, I believe, to do anything that would curtail or seriously affect the interests of the inhabitants of these islands.

Very truly yours,

ANDREW L. FELKER, Commissioner.

CHAMPLAIN FEDERAL FARM LOAN ASSOCIATION,
Charlotte, Vt., March 11, 1929.

JOHN B. GORDON,
Washington, D. C.

DEAR MR. GORDON: Your favor re oils and fats tariff was received and noted.

Your position in the matter seems well taken and I see no flaws in your "better-way" proposition.

I am turning the matter over to A. H. Packard, State president Vermont Farm Bureau Federation, for any action he sees fit.

Yours truly,

VERMONT FARM BUREAU FEDERATION,
G. M. HAZARD, Secretary-Treasurer.

DEPARTMENT OF AGRICULTURE,
Lansing, March 25, 1929.

Mr. J. B. GORDON,
Bureau of Raw Materials,
Suite 1251, National Press Building, Washington, D. C.

MY DEAR MR. GORDON: I have looked over your letter of March 23 with inclosed schedule of oils and fats and proposed classification for tariff.

I can see no reason why this classification should not stand, but I think as I intimated in a previous letter to you, knowing so little as to the details in tariff legislation and classifications, I hesitate to express my opinion. I can see no reason, however, for charging high duty rates on vegetable oils coming into this country where they do not compete with American grown or produced products.

Very truly yours,

HERBERT E. POWELL,
Commissioner of Agriculture.

AMERICAN FARMING,
Chicago, May 8, 1929.

Mr. C. M. MILLS,
Secretary-Treasurer, The American Products Co.,
3265 Corelain Avenue, Cincinnati, Ohio.

DEAR SIR: Thank you for your letter of the 24th ultimo and the attached story by Mr. Powell bearing on tariff on vegetable oils. I have written to the legislative representative of the American Farm Bureau Federation at Washington suggesting that possibly some denaturizing process could be put into effect covering the oils that are brought in for manufacture of nonedible products, such as soaps. Certainly this would not injure the dairyman or the farmer in such instances as the ones cited by Mr. Powell.

We are anxious to help the farmers, and they certainly need a tariff on those products that are brought into this country to be used as food products in competition with the food products produced by American farmers. In the case of the material to be brought in for soap manufacture it seems that an exception could be made.

We thank you for calling this to our attention, and if we get anything of interest on the subject we will pass it along to you.

Very truly yours,

ESTES P. TAYLOR,
Editor American Farming.

STATE DEPARTMENT OF HEALTH,
Austin, Tex., May 4, 1929.

Mr. JOHN B. GORDON,
Bureau of Raw Materials for American Vegetable Oils and
Fats Industries, 1251 National Press Building, Fourteenth
and F Streets NW., Washington, D. C.

MY DEAR MR. GORDON: Reference is made to your letter of May 1, 1929, subject, Vegetable oils and fats industries, and in reply wish to advise that I am in full sympathy with a tariff law which will give the greatest protection to the American farmers who are producing these oils, and also to favor free admission of oils and fats which would relieve the common people as much as possible of the burden of taxation.

The copy of your letter written to a gentleman interested in the subject of tariff vegetable oils and fats is certainly a very comprehensive one. I have read it with much interest, but, not being familiar with the importance of tariff legislation along this line, I would be inclined to indorse the position taken by those who are making a close study of the subject.

I wish to indorse the last paragraph on the sheet, entitled, "Natural grouping of oils and fats according to actual usage due to chemical and physical variations of individual oils and fats."

Refraining from further discussion of this great subject about which I know but little, I am,

Sincerely and truly,

J. C. ANDERSON, M. D.,
State Health Officer.

THE DAKOTA FARMER,
Aberdeen, S. Dak., April 16, 1929.

Mr. JAMES M. RIDDLE,
Riddle & Young, 180 North Michigan Avenue, Chicago, Ill.

DEAR MR. RIDDLE: I have received the James S. Kirk & Co. letter and article which you sent me.

I have had considerable correspondence in connection with tariff proposals in connection with inedible vegetable oils, and believe there is no disposition among the farmers of our territory to ask for any change in the tariff in that connection from the schedule of 1922.

Farmers of the Dakotas will be exclusively represented at all tariff hearings by representatives of the Northwest Agricultural Foundation, and I will see that the facts mentioned in the Kirk letter and article will be brought to their attention.

Yours very truly,

W. C. ALLEN.

STATE OF MARYLAND DEPARTMENT OF HEALTH,
Baltimore, May 22, 1929.

Mr. JOHN B. GORDON,
Suite 1251, National Press Building, Washington, D. C.

DEAR SIR: I wish to acknowledge your letter of May 1, 1929. I have usually made it a rule not to comment on matters which are pending in Congress unless they affect the enforcement of our food and drugs law.

I personally agree with the position which you have taken with reference to the increased duties on oil. Comparatively few of the oils which you enumerate are produced in quantity in this country, and it would seem inadvisable to adopt any policy which would radically increase the cost of these oils.

Very truly yours,

A. L. SULLIVAN,
State Food and Drug Commissioner.

STATE OF MAINE DEPARTMENT OF AGRICULTURE,
Augusta, May 6, 1929.

BUREAU OF RAW MATERIALS,
AMERICAN VEGETABLE OILS AND FATS INDUSTRY,
1251 National Press Building, Washington, D. C.

Attention John B. Gordon.

GENTLEMEN: Replying to your letter of May 1 with reference to the importance of tariff on imported animal and vegetable oils and your letter discussing this subject, I beg to advise you that I agree with you in your statements.

Very truly yours,

A. M. G. SOULE,
Chief, Division of Inspection.

STATE BOARD OF AGRICULTURE,
Salt Lake City, May 17, 1929.

Mr. JOHN B. GORDON,
Bureau of Raw Materials,
Suite 1251, National Press Building, Washington, D. C.

DEAR SIR: This will acknowledge your letter of recent date regarding the placing of a duty of 45 per cent ad valorem on all kinds of imported animal and vegetable oils and fats without regard to their usage.

I talked with many influential farmers and fellow members of our local farm bureaus and none desire to place a greater burden upon themselves and others, and, therefore, think it proper and advocate denaturing all vegetable and animal fats and oils that go into soap making, etc., and advocate placing the 45 per cent ad valorem on all edible oils and fats. What the farmer wants is some economical process to be worked out, if possible, that will equalize the farmer's dollar with that of the manufacturer and banker.

Yours very truly,

EDWARD SOUTHWICK,
Chief Dairy and Food Division.

DEPARTMENT OF AGRICULTURE,
Olympia, Wash., May 15, 1929.

Mr. JOHN B. GORDON,
Secretary Bureau of Raw Materials,
1251 National Press Building, Washington, D. C.

DEAR SIR: Yours of May 1, with inclosure of letter written to a gentleman on the subject of the tariff on vegetable oils and fats, received, and contents noted.

Will say I am in accord with your views on this matter and think it is a grave error on the part of the dairy interests of the country to include the items which you have tabulated—China-wood oil, perilla oil, palm oil, inedible olive oil, palm-kernel oil, coconut oil, rapeseed oil, sesame oil, nondrying sea-animal oils, and inedible animal fats. However, if these were rendered inedible it would meet all the requirements of the dairy interests as well as the general agricultural interests of the country.

However, I think a high protective tariff should be placed on all of the edible fats and oils in order to protect our dairymen from the general butter substitutes.

I think your letter to the gentlemen referred to handles the entire question with understanding and to the satisfaction of any unprejudiced mind.

Thanking you for this copy and the information inclosed, I am

Yours very truly,

ROBERT PRIOR,
Supervisor Dairy and Livestock.

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., March 8, 1929.

Mr. JOHN B. GORDON,
1251 National Press Building, Washington, D. C.

DEAR SIR: Replying to your communications of March 6 and 8, I have to inform you that the act of Congress approved March 4, 1907, designated as the meat inspection act, provides that carcasses and parts of animals which are condemned upon inspection shall be destroyed for food purposes. Since the year 1915 this provision of law has been enforced by the Federal meat inspection service through the use of a mineral oil distillate. This denaturant imparts to fat a disagreeable taste which renders the product inedible and impracticable of restoration as food.

The bureau has no knowledge of any instance occurring within its jurisdiction in which fat so denatured has been reclaimed for food purposes.

Very truly yours,

J. R. MOHLER, Chief of Bureau.

TREASURY DEPARTMENT,
Washington, February 14, 1929.

BUREAU OF RAW MATERIALS,
1251 National Press Building, Washington, D. C.

GENTLEMEN: Referring further to your letter of January 17, 1929, in regard to the denaturing of olive oil, you are advised that the bureau has no knowledge of any fraudulent act in connection with the administration of the denaturing provision in paragraph 1632 of the tariff act (art. 430 of the Customs Regulations of 1923). The denaturing of olive oil was first provided for in paragraph 639 of the tariff act of August 5, 1909.

In so far as the bureau is aware, there would be no serious obstacle to the denaturing of oils other than olive oil when imported in bulk, such denaturing, of course, to be carried on under customs supervision and at the expense of the importer.

Respectfully,

SEYMOUR LOWMAN,
Assistant Secretary.

AMERICAN HEREFORD CATTLE BREEDERS ASSOCIATION,
Kansas City, Mo., February 13, 1929.

Mr. J. B. GORDON,

1251 National Press Building, Washington, D. C.

DEAR SIR: I have your letter of the 11th regarding the tariff on vegetable oils and fats.

On Monday of this week I served on a committee which was appointed on January 15, at a meeting of the beef cattle interests, held in Denver, Colo. This committee was appointed especially to look after the item of tariff on beef and beef products.

At our meeting here on Monday we went pretty thoroughly over the whole schedule of beef, canned meats, hides, etc., and on most of these items asked for a higher tariff than is carried at the present time, but when it came to the matter of oils and fats we did not make any recommendations at all. It is the feeling of some on our committee that in case higher protective duty was placed on these products it would only encourage the use of substitutes, and for that reason we passed them without any recommendations. I am inclined to think that if our people generally understood the situation that they would take much the same view of the matter.

Yours very truly,

R. J. KINZER.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee, which the Secretary will report.

The CHIEF CLERK. On page 264, line 21, the committee proposes to strike out the words "olive oil and palm-kernel oil, rendered," and to insert in lieu thereof the words "olive, palm-kernel, rapeseed, sunflower, and sesame oil, rendered."

Mr. THOMAS of Idaho obtained the floor.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. THOMAS of Idaho. I yield.

Mr. SMOOT. As has been stated, the pending amendment is found on page 264, line 21, in paragraph 1733. I understand the Senator from Idaho now desires to offer an amendment to paragraphs 54 and 55, and I think it would perhaps be proper to receive the amendment at this time and pass on it before we finally vote on the committee amendment just stated.

I may add, if I understand the amendment correctly, and I think I do, that if the Senator's amendment shall be defeated, it will carry with it all the other amendments without any further discussion.

Mr. THOMAS of Idaho. That is quite correct.

Mr. SMOOT. I ask unanimous consent that the Senator from Idaho may be allowed now to offer his amendment to paragraphs 54 and 55.

Mr. GEORGE. Mr. President, is the request presented by the Senator from Idaho to have a vote upon the amendment he has offered to paragraph 54, or to paragraph 55, or to both?

Mr. THOMAS of Idaho. Paragraph 54.

The VICE PRESIDENT. The Chair suggests that it would be better to have the amendment reported so the Senate may know what is before it. Will the Senator send up his amendment?

Mr. THOMAS of Idaho. It is printed, and is at the desk.

Mr. SMOOT. Let it be read.

The PRESIDING OFFICER. The clerk will read the amendment.

The CHIEF CLERK. The Senator from Idaho offers the following amendment, on page 24, to strike out lines 10 to 19, inclusive, and to insert in lieu thereof the following:

PAR. 54. (a) Oils, vegetable:

(1) Castor, 5 cents per pound; hempseed, $4\frac{1}{2}$ cents per pound; poppy seed, 8.8 cents per pound; rapeseed, 3.7 cents per pound; palm, 3.1 cents per pound; perilla, 4.6 cents per pound; sweet almond, 3.4 cents per pound; tung, 5.9 cents per pound;

(2) olive, rendered unfit for use as food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him, $7\frac{1}{2}$ cents per pound, except that in the case of sulphured or foots the duty shall be 3.9 cents per pound; olive not so rendered unfit, weighing with the immediate container less than 40 pounds, 10 cents per pound on contents and containers; olive, not specially provided for, 9 cents per pound;

(3) none of the foregoing shall be subject to a less rate of duty than 45 per cent ad valorem;

(4) linseed or flaxseed, and combinations and mixtures in chief value of such oil, $4\frac{1}{2}$ cents per pound, but not less than 55 per cent ad valorem;

(5) all other expressed or extracted oils, not specially provided for, 45 per cent ad valorem.

(b) Vegetable tallow, 3.1 cents per pound, but not less than 45 per cent ad valorem.

On page 264, lines 20 and 21, strike out the comma following the word "Croton" and the words "palm, perilla, and sweet almond."

On page 273, strike out line 1.

Mr. THOMAS of Idaho. Mr. President, I desire to perfect my amendment by striking out, on page 1 of the amendment, line 8, the words "tung, 5.9 cents per pound"; on page 2, to strike out all of subdivision (2), beginning with the words "olive, rendered unfit for use," and ending "9 cents per pound"; also, on page 2, to strike out subdivision (4), starting with the words "linseed or flaxseed," and concluding "55 per cent ad valorem."

The VICE PRESIDENT. Without objection, the amendment is so modified, and the clerk will state the amendment as modified.

The CHIEF CLERK. On page 24, strike out lines 10 to 19, inclusive, and insert in lieu thereof the following:

PAR. 54. (a) Oils, vegetable:

(1) Castor, 5 cents per pound; hempseed, $4\frac{1}{2}$ cents per pound; poppy seed, 8.8 cents per pound; rapeseed, 3.7 cents per pound; palm, 3.1 cents per pound; perilla, 4.6 cents per pound; sweet almond, 3.4 cents per pound;

(3) none of the foregoing shall be subject to a less rate of duty than 45 per cent ad valorem;

(5) all other expressed or extracted oils, not specially provided for, 45 per cent ad valorem.

(b) Vegetable tallow, 3.1 cents per pound, but not less than 45 per cent ad valorem.

On page 264, lines 20 and 21, strike out the comma following the word "Croton" and the words "palm, perilla, and sweet almond."

On page 273, strike out line 1.

Mr. BARKLEY. The effect of the elimination of subsection 2, applicable to olive oil, in which specific duties are provided, is to leave subsection 3 in force, putting an ad valorem duty of 45 per cent on all the articles mentioned in subsection 2 which is stricken out.

Mr. NORRIS. Will not the Senator from Kentucky permit the Senator from Idaho to complete the statement of his proposed changes?

Mr. BARKLEY. I thought he had completed stating them.

Mr. THOMAS of Idaho. That completes the changes which I would make in my amendment.

Mr. SMOOT. I thought the Senator wanted to strike out lines 20 to 22 on page 2 of his amendment?

Mr. THOMAS of Idaho. The last change I desire to make in my amendment is to strike out all of subsection 4, commencing with line 13 on page 2, to and including line 15.

Mr. NORRIS. Is that the last change the Senator desires to make?

Mr. THOMAS of Idaho. It is.

Mr. BARKLEY. In subsection 2 the Senator provides certain specific duties for olive oil, and in subsection 3 it is provided that "none of the foregoing shall be subject to a less rate of duty than 45 per cent ad valorem." What effect does the retaining of subsection 3 in the amendment have if all that it refers to is stricken out?

Mr. THOMAS of Idaho. It would apply to all the rest of subsection 1.

Mr. BARKLEY. So the subsections would have to be renumbered, and they would have no relation to what has been stricken out?

Mr. THOMAS of Idaho. That is correct.

Mr. HARRISON. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. THOMAS of Idaho. I yield.

Mr. HARRISON. Is it the intention of the Senator to leave tung oil in his amendment, making the rate 10 cents a pound, or did he strike that out entirely?

Mr. THOMAS of Idaho. It was stricken out entirely.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Georgia?

Mr. THOMAS of Idaho. I yield.

Mr. GEORGE. I wish to understand, before I give my consent to the unanimous-consent request, if tung oil is stricken out of the amendment?

Mr. THOMAS of Idaho. Yes; it is.

Mr. GEORGE. But I understand also that palm oil, in line 6, of subsection 1, is still left in the amendment. Does the Senator wish to have a vote upon that item?

Mr. THOMAS of Idaho. Yes.

Mr. GEORGE. He does not wish to take that out?

Mr. THOMAS of Idaho. No.

Mr. BARKLEY. The same applies to perilla, in line 7, of subsection 1?

Mr. THOMAS of Idaho. Yes.

Mr. BARKLEY. Is the Senator going to insist on his provision in the first subsection with reference to perilla oil also?

Mr. THOMAS of Idaho. I am.

Mr. BARKLEY. Let me ask the Senator again. Subsection 5 provides "all other expressed or extracted oils, not specially provided for, 45 per cent ad valorem." What oils does that subsection include?

Mr. THOMAS of Idaho. It is simply a basket clause that would include all oils not specially provided for.

Mr. BARKLEY. I understand it is a basket clause, but how much will the basket hold? What the Senator proposes granting in subsection 5 is that all other expressed or extracted oils, not specially provided for, shall bear a rate of 45 per cent ad valorem, but what oils does that subsection include? Will not that automatically include the oils struck out in subsections 2 and 4?

Mr. THOMAS of Idaho. I would not think so.

Mr. BARKLEY. They are extracted oils, are they not?

Mr. THOMAS of Idaho. As I understand it we have already voted on olive oil. I want that rate left as it is. By striking out this subsection of the amendment I do not propose to alter that rate at all.

Mr. BARKLEY. Of course, it might include tung oil in the basket clause at 45 per cent.

Mr. THOMAS of Idaho. It simply restores tung oil to the free list.

Mr. BARKLEY. I am not certain about that.

Mr. FLETCHER. Mr. President, may I point out to the Senator that we have already put tung oil on the free list? On page 265 tung oil is mentioned, and it is on the free list.

Mr. GEORGE. That is the section now before the Senate; but the Senator from Idaho is asking for unanimous consent to vote upon his amendment to section 54.

Mr. NORRIS. Mr. President, will the Senator from Idaho yield for a suggestion?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. THOMAS of Idaho. I yield.

Mr. NORRIS. I think the Senator from Kentucky [Mr. BARKLEY] is right about it and that we ought to have no misunderstanding as to what this will do. Subsection 5 says, "All other expressed or extracted oils, not specially provided for, 45 per cent ad valorem." Perhaps those words "not specially provided for" should come out, or ought not the Senator to have something else in there—"not otherwise specially provided for in this act," or something to that effect?

Mr. SMOOT. These are the words we always use, and they mean provided for in the bill in which the language appears.

Mr. NORRIS. That may be; but I am afraid there is a conflict here.

Mr. WAGNER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New York?

Mr. THOMAS of Idaho. I yield.

Mr. WAGNER. Will not the Senator enumerate the oils which are not specially provided for in this bill which would come under the omnibus provision?

Mr. NORRIS. Those which would come within the basket clause?

Mr. WAGNER. Yes.

Mr. THOMAS of Idaho. I do not have them so arranged that I could enumerate them.

Mr. WAGNER. How could we act upon the proposal unless we act upon all the oils and provide a rate of 45 per cent ad valorem?

Mr. SMOOT. The principal ones will be corn oil and ruffa-seed oil, and perhaps one other oil, and they have always been carried under the same provision as proposed by the Senator's amendment and under the same provision in the bill.

Mr. BARKLEY. What about linseed oil?

Mr. SMOOT. It is taken care of in a separate division.

Mr. BARKLEY. But we propose to strike it out here, so that unless it is provided for somewhere else in the bill it goes into the 45 per cent basket clause.

Mr. THOMAS of Idaho. We have already adopted a rate on flaxseed, and it is our intention to put in a pro rata rate on linseed oil, but that will be done through a separate amendment.

Mr. SMOOT. That is as I understood it.

Mr. FESS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. THOMAS of Idaho. I yield.

Mr. FESS. It seems to me subsection 3 is quite clear, that it applies only to what is in the bill containing the subsection. Subsection 5, though, seems to me broad enough to cover every oil that is in existence, whether it is in the bill or not, because it says "all other expressed or extracted oils." That does not mean that they must be in this bill. There might be some oil that we are not now considering.

Mr. SMOOT. The language is "not specially provided for."

Mr. FESS. That is what it says: "All other expressed or extracted oils, not specially provided for." That takes all the oils in existence that have not been provided for elsewhere. Does not that cover them all?

Mr. SMOOT. There is a basket clause covering all that do not fall within the other clauses.

Mr. FESS. In other words, every oil not specially here named will have a 45 per cent ad valorem duty?

Mr. SMOOT. That is true.

Mr. FESS. We ought to know what they are.

Mr. SMOOT. There may be many oils discovered that are not named here which would fall within the basket clause. It is a catch-all clause that is found in every schedule. It does not make any difference whether it is one kind of an oil or another kind. There is always a basket clause in every schedule, and that is the way it is expressed. All the oils which are produced in quantity that go into commerce daily or weekly or monthly are provided for here. Then those that fall in the free list are specially mentioned in the free list, and outside of those there are rates provided for oils not specially provided for elsewhere.

Mr. FESS. The Senator means all oils are either on the dutiable list or on the free list, and in that respect they are all special provided for.

Mr. SMOOT. They are specially provided for under the wording of the amendment of the Senator from Idaho.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New York?

Mr. THOMAS of Idaho. I yield.

Mr. WAGNER. If that is so, the provision would be absolutely meaningless, for it has no application to existing oils.

Mr. SMOOT. There may be some other oil discovered.

Mr. WAGNER. May I make a suggestion in answer to the Senator from Utah? If we are providing for an oil hereafter to be discovered, how can we tell now whether or not we would want to place a 45 per cent ad valorem duty upon such an oil? How can we be prophets to that extent?

Mr. THOMAS of Idaho. In answer to the Senator from New York let me state the only change in the amendment from the bill. The bill provides "all other expressed or extracted oils, not specially provided for, 20 per cent ad valorem." The only change I have made in that language is the change in the rate, making it 45 per cent instead of 20 per cent.

Mr. NORRIS. Mr. President, if the Senator will yield I would like to make a suggestion along the lines of the suggestion of the Senator from New York.

The VICE PRESIDENT. Does the Senator from Idaho yield for that purpose?

Mr. THOMAS of Idaho. I yield.

Mr. NORRIS. All oils have been provided for about which we know anything. Now, we are putting in a basket clause providing that all other oils shall bear a rate of 45 per cent ad valorem on the theory that some new oil may be invented or discovered, and it will then automatically come into this basket clause. The question arises at once, and it seems to me it is a perfectly legitimate question, Are we in the dark going to provide a 45 per cent duty on something when we must admit we do not know what it is going to be? It may be that it ought to have a larger duty. It may be that we would concede at the outset that the newly discovered oil ought to be on the free list. In other words, we are not pretending to fix this rate upon the scientific basis.

Mr. SMOOT. How can we fix it upon a scientific basis when we do not know what the oil may be?

Mr. NORRIS. Exactly. That is the point I am trying to make. Why speculate on something about which we do not know anything and that may not happen at all or that may happen to-morrow?

Mr. SMOOT. It is necessary that some rate should be fixed.

Mr. NORRIS. It is not necessary that a rate be fixed. I will not admit that. We do not have to fix a rate on something that we do not know anything about unless we desire to do so.

Mr. THOMAS of Idaho. Mr. President, I might say that the idea of the amendment as to fats and oils is to provide uniform protection for all the different items. Under the present law some of these items are on the free list and some of them have a 20 per cent ad valorem duty imposed, and so forth. The idea in

framing the amendment was to provide a uniform tariff on all the oils; and the farm organizations of the country came to the conclusion that 45 per cent was the tariff rate they would like to have. This amendment, carrying an average 45 per cent duty on all of the oils and fats that are included in the bill, is offered at their suggestion. The idea of the basket clause is to be sure that they are all included.

Mr. NORRIS. If that be true, it seems to me that all the Senator needs to do is to say, "On all oils the duty shall be 45 per cent ad valorem."

Mr. THOMAS of Idaho. I desire that that should be the minimum duty.

Mr. NORRIS. All right; that that should be the minimum duty. The Senator has in his amendment fixed various rates. I am not finding fault with any of the rates fixed; it may be that I shall agree to them when I hear the debate; it may be I shall not; but I am not now complaining of any rate that has been fixed. I am only calling attention to the fact that it is admitted that we are fixing a rate on something that nobody knows anything about or knows whether there will ever be such a thing on which the rate will apply. It is not a scientific way to fix a tariff.

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Utah?

Mr. THOMAS of Idaho. I yield.

Mr. SMOOT. From the very first tariff bill that ever passed Congress such bills have contained a basket clause in every schedule. It is the only way to deal with items as to which we do not know what is going to develop between the passage of one tariff bill and the enactment of the succeeding one. I repeat that from the first tariff bill that was ever passed down to the tariff bill of 1922 such bills have carried a basket clause in all schedules.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. THOMAS of Idaho. I yield.

Mr. NORRIS. The theory stated by the Senator from Utah [Mr. Smoot] may be correct. That is no defense, however, for the practice. It is no defense to say that since we have done something previously that is wrong we should continue to do it; that we should continue to legislate in the same wrong way.

Mr. SMOOT. But it is right.

Mr. NORRIS. It is not right. There is not anything to it. There are literally thousands of articles on the free list. Why are they on the free list? If the theory of the Senator from Utah be right, we should have a basket clause that would include them all. Because previous tariff bills have been unscientific and have included such clauses is no reason why it should be done now. Nobody can tell whether this proposed rate will ever have any application. If I correctly understand the statement which has been made by the Senator from Utah, it may never have an application, and, on the other hand, it may have an application where it will bring injury and do an injustice. We do not know as to that. We are proposing to fix a rate in the dark as to something of which we never heard and of which we may never hear. I think, in order intelligently to act on it, we ought to understand the matter. If there is anything in the basket we ought to know what it is, and if there is nothing in the basket, as it is claimed here—if it is an empty basket, with not a thing in it—then it is of no value.

Mr. SMOOT. I mentioned two things.

Mr. NORRIS. The reason for it is that at some time something may drop into it, and we are now going to put a rate on it.

Mr. SMOOT and Mr. BROOKHART addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield; and if so, to whom?

Mr. THOMAS of Idaho. I yield first to the Senator from Utah.

Mr. SMOOT. The sunflower-seed oil has fallen into the basket clause; but we are proposing now to take it out and put it in another part of the bill. Corn oil will also fall into the basket clause.

Mr. NORRIS. Is it there now or will it fall into the basket clause?

Mr. SMOOT. It will fall into the basket clause.

Mr. NORRIS. Then the Senator from Utah was wrong awhile ago—I was relying on his information—when he said that there was not anything to go into the basket, but the amendment was proposed because there might be something to put into the basket.

Mr. SMOOT. I said the basket clause was put in not only for that reason, but I also said that there was not a schedule in

the bill that did not have a basket clause. I stated that one purpose of the basket clause was, if a new commodity should be discovered and a rate was not specially provided for it in the schedule in which it fell, then it would go into the basket clause until Congress should act, and the next time a tariff bill should be considered, of course, a rate would be fixed upon such an item.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. THOMAS of Idaho. I yield to the Senator from Kentucky.

Mr. BARKLEY. Of course, the fundamental objection to all the basket clauses is that there are thrown into a sort of omnium gatherum all sorts of articles that have no relationship one to another, regardless of the comparative cost of production at home and abroad, and regardless of the ratio of imports to domestic production. It is the most unscientific manner in which to fix a rate on an import of any kind.

It seems to me that is especially true with reference to oil, because in this instance the clause contemplates not only oils that may hereafter be discovered or invented or created, but it applies to many oils already in existence, because they are not all specially provided for by any means; and all of them which are not specially provided for, regardless of their character or regardless of the imports or regardless of whether there are any imported at all, will come in under this 45 per cent rate.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New York?

Mr. THOMAS of Idaho. I yield to the Senator from New York.

Mr. WAGNER. I should like to ask the Senator whether under his amendment he also provides a minimum rate of 45 per cent ad valorem upon oils whether produced in this country or not; that is, whether the imported oil is competitive with any oil that is produced in the United States or whether it is an oil which comes in here not in competition with any other oil here at all? Irrespective of whether it is competitive or not is it proposed to provide a minimum duty of 45 per cent? I should like to know what justification there can be for any such action.

Mr. THOMAS of Idaho. We are providing a minimum duty of 45 per cent on all oils.

Mr. SMOOT. With the exception of those specially provided for on the free list.

Mr. THOMAS of Idaho. Yes, sir.

Mr. WAGNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield further to the Senator from New York?

Mr. THOMAS of Idaho. I yield.

Mr. WAGNER. The question I want to direct to the Senator is, What justification is there for imposing a duty upon oil which is imported here but which is not in any price classification or quality classification so as to be in competition with any oil which is produced in this country?

Mr. BROOKHART. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. THOMAS of Idaho. I yield to the Senator from Iowa.

Mr. BROOKHART. In answer to the question of the Senator from New York, I will say that if he had heard the discussion of the Senator from Texas he would have found that these oils are competitive, and that is the theory on which the tariff rate is proposed to be levied.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BARKLEY. I wish to inquire whether the amendment as now offered is before the Senate or whether there is simply a request for unanimous consent to present it?

The VICE PRESIDENT. A request for unanimous consent only is before the Senate.

Mr. BARKLEY. And unless that consent shall be granted, all debate is out of order and academic?

Mr. SMOOT. I hope the Senator will not object.

Mr. BARKLEY. I am not going to object, but we ought to get rid of that part of it.

The VICE PRESIDENT. Is there objection? The Chair hears none. The question is on agreeing to the amendment, as modified, submitted by the Senator from Idaho.

Mr. SMOOT. I ask for the yeas and nays.

Mr. FESS. Mr. President, there are some features of the amendment on which I think we ought to have a little further discussion. For instance, the Senate, as I understand, is now about to take a vote on the palm-oil item or on the whole amendment including palm oil and other oils?

Mr. SMOOT. The oil referred to by the Senator is on the free list and will come up later.

The VICE PRESIDENT. The Senator from Ohio has the floor.

Mr. FESS. I did not understand the remark of the Senator from Utah that it would come up later.

Mr. SMOOT. If the Senator will turn to paragraph 1733, on page 264, he will find palm-kernel oil provided for there. If the amendment of the Senator from Idaho shall be agreed to, then, of course, we will take that question up, and even though the amendment should be disagreed to, we will have to vote upon that item. All the Senator from Idaho wants to do now is to have a vote upon his amendment. If it shall be defeated, if he wants to offer another amendment as to the item on the free list, of course that will come up in its regular order.

Mr. FESS. That is true if the amendment shall be defeated, but suppose it should not be defeated?

Mr. SMOOT. Of course, if it shall not be defeated it will show there are votes enough in the Senate to take it off the free list. The vote on the amendment of the Senator from Idaho will virtually settle the whole question. If the Senator's amendment shall be agreed to, everything else will have to be adjusted in conformity with it, the items on the free list and all. What we want to do is either to vote for the Senator's amendment or defeat it, and, of course, that is for the Senate to decide. I think more than likely the Senate will not vote for the rates named.

Mr. BARKLEY. Mr. President, I want to make an inquiry of the Senator from Utah. On page 264, paragraph 1733, there is a provision that the oils referred to shall be rendered unfit for use as food?

Mr. SMOOT. Certainly.

Mr. BARKLEY. That applies to all oils mentioned in the paragraph?

Mr. SMOOT. It does.

Mr. BARKLEY. But that does not necessarily limit the description of the pending amendment?

Mr. SMOOT. It applies to just a part of the paragraph. The Senator will notice it provides:

PAR. 1733. Oils, expressed or extracted: Croton, palm, perilla, and sweet almond; olive, palm-kernel, rapeseed, sunflower, and sesame oil, rendered unfit for use as food or for any but mechanical or manufacturing purposes, by such means as shall be satisfactory to the Secretary of the Treasury and under regulations to be prescribed by him; tung oil; and nut oils not specially provided for.

Mr. BARKLEY. Yes.

Mr. FESS. Mr. President, I would not interpret the amendment offered by the Senator from Idaho to be the same as the amendment on page 264, because that refers to the items when they are put in denatured form and made inedible, while the amendment of the Senator from Idaho does not.

Mr. SMOOT. That is true, but after we vote upon the amendment of the Senator from Idaho, if the amendment shall be defeated, we will have to vote on the amendment on page 264, and we can make paragraph 1733 on that page conform to the action taken by the Senate.

Mr. FESS. I confess that my concern is that it might not be defeated. That is why I was making the inquiry.

Mr. JOHNSON. Mr. President, may I call the attention of the Senator from Utah and the Senator from Idaho to the fact that the design of this amendment was to leave in the bill as it has now been adopted that portion which relates to olive oil, and not to have this amendment deal with it at all at this time but to deal with other subjects entirely? Let me call the attention of the Senator from Utah and the Senator from Idaho to the fact that the Senator from Idaho provides substantively by his amendment that it shall be a substitute for paragraph 54, and if the amendment be adopted have we not thereupon stricken out all of the provisions in paragraph 54 relating to olive oil?

Mr. SMOOT. The amendment does not so provide.

Mr. JOHNSON. No; the amendment does not so provide but the amendment reads:

On page 24, strike out lines 10 to 19, inclusive, and insert in lieu thereof the following:

" Paragraph 54—

And so forth.

If that amendment be adopted, then the work that has heretofore been done will be undone in respect to olive oil. That was not intended.

Mr. SMOOT. But if that shall be done, then, of course, I understood the Senator from Idaho would follow that up with a motion to restore the rate on olive oil.

Mr. JOHNSON. There was no such intention. The intention was not to touch the rates that have been passed upon by the Senate already. So I want to make this suggestion to the Senator from Utah:

I think that if, after the word "pound," in line 16, paragraph 54, for the remainder of the section this amendment were substituted, it would do what is designed by the Senator from Idaho, and leave as they now are these rates that already have been passed upon by the Senate.

Mr. SMOOT. That is what the Senator from Idaho intended, I am sure.

Mr. JOHNSON. I know that is what he intended to do; but we would be back where we were when originally this question arose if we adopted in its present form the amendment.

Mr. SMOOT. If the Senate agreed to it.

Mr. JOHNSON. If the Senate agreed to it. So I ask the Senator from Idaho to perfect his amendment by providing that as a substitute for the portion of paragraph 54 after the word "pound" in line 16, his amendment be presented, striking out beginning with the word "poppy," line 16, paragraph 54, page 24, down to and including the words "ad valorem," in line 19, paragraph 54, page 24, and in lieu thereof inserting the amendment of the Senator from Idaho [Mr. THOMAS].

Mr. SMOOT. That would meet the situation without another vote.

Mr. BARKLEY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Kentucky?

Mr. JOHNSON. I yield.

Mr. BARKLEY. Will not that leave in the language of the bill two provisions as to castor oil? For instance, will it not leave it as it is in paragraph 54, and also as it is proposed in this amendment?

Mr. SMOOT. Yes.

Mr. BARKLEY. The Senator will have a duplication of rates there on the same articles, down to and including the place where he starts.

Mr. JOHNSON. I rather think the Senator is correct, as I look at paragraph 54.

Mr. SMOOT. Another way to accomplish it would be this: May I suggest to the Senator an amendment to the Senator's amendment? After the word "pound," on line 13—I do not know what line it is in the Senator's amendment—include in that—

Olive, weighing with the immediate container less than 40 pounds, 9½ cents.

Or just the same as the wording of the House bill with the Senate amendments. Then it would cover it all.

Mr. JOHNSON. But the Senator from Kentucky [Mr. BARKLEY] has just called my attention to the fact that we have, in the beginning of the paragraph:

Castor, 3 cents per pound; hempseed, 1½ cents per pound.

Whereas the amendment of the Senator from Idaho endeavors to increase those rates, or to alter them, at any rate.

Mr. COUZENS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Michigan will state it.

Mr. COUZENS. Was unanimous consent given for taking up this paragraph?

Mr. JOHNSON. Yes, sir.

The VICE PRESIDENT. The Chair will suggest that section 2 of the amendment could be so modified as to correct the errors that have been pointed out.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to his colleague?

Mr. JOHNSON. I yield.

Mr. SHORTRIDGE. May I ask that in this matter we renew the request for the consent agreement, to the end that we may redraft the proposed amendment to cover the various points raised? Otherwise, I think there is confusion.

I sympathize fully with what my colleague has said.

Mr. JOHNSON. My design is to prevent undoing what the Senate has already done, and the design of the Senator from Idaho is exactly the same; so that I think it ought to be met and can be met now, and we are practically ready for a vote upon the amendment of the Senator from Idaho.

Mr. SMOOT. Why not let it read as follows:

Oils, vegetable: Castor—

What does the Senator provide there for castor oil?

Mr. JOHNSON. Five cents per pound.

Mr. SMOOT. Hempseed?

Mr. JOHNSON. He provides 4½ cents.

Mr. SMOOT. Linseed or flaxseed, and combinations and mixtures in chief value of such oil—what rate does he provide?

Mr. JOHNSON. That is eliminated in the amendment.

Mr. SMOOT. As I understand, that should come out here. He provides new rates for these oils except flaxseed?

Mr. JOHNSON. Yes.

Mr. SMOOT. Let it go out, and then go on here. Then—

Olive, weighing with the immediate container less than 40 pounds, 9½ cents per pound on contents and containers; olive, not specially provided for, 7½ cents per pound; poppy seed—

What does he provide there?

Mr. KEAN. Eight and eight-tenths cents.

Mr. SMOOT. Poppy seed, 8.8 cents. Rapeseed—what does he provide for rapeseed?

Mr. BARKLEY. Three and seven-tenths cents.

Mr. SHORTRIDGE. Per pound?

Mr. SMOOT. Three and seven-tenths cents per pound, instead of per gallon.

All other expressed or extracted oils, not specially provided for, 45 per cent ad valorem.

Mr. KEAN. Palm oil.

Mr. BARKLEY. Has the Senator "palm oil and perilla"?

Mr. JOHNSON. Mr. President, if the Senator from Utah will permit me, exactly what I want to avoid in this amendment is taking up the question of olive oil again. That is exactly what the Senator from Idaho wants to avoid. It is a very difficult thing to eliminate the matter that was spoken of by the Senator from Kentucky with this particular kind of an amendment.

Mr. SMOOT. Mr. President, if the amendment is agreed to, then olive oil will have the same rate that the Senate has already agreed to.

Mr. JOHNSON. I realize that.

Mr. SMOOT. And if it is rejected, then it will have the same rate.

Mr. JOHNSON. But may I say to the Senator from Idaho that it is fairly well agreed that it will not be agreed to; and I do not want to be put in that situation in respect to the matter that already has been agreed to.

Mr. SMOOT. It will fall, then, Mr. President. It is a substitute for paragraph 54, and what we have agreed to in paragraph 54 will stand.

Mr. JOHNSON. I realize that; but I did not want to be in the attitude of voting upon something that already had been adopted, with an apparent adverse vote upon that which had been adopted.

Mr. BARKLEY. The elimination of olive oil in the amendment of the Senator from Idaho relieves that subject from consideration.

Mr. JOHNSON. That is what I am seeking.

Mr. BARKLEY. Well, that does it. By eliminating it from his amendment, it is taken out of the controversy here now.

Mr. JOHNSON. That is what I want to do.

Mr. BARKLEY. I think it is done.

Mr. JOHNSON. It is done.

Mr. BARKLEY. Yes.

Mr. JOHNSON. But, Mr. President, the Senator did not catch what originally I said. This is made a substitute for paragraph 54.

Mr. BARKLEY. Yes.

Mr. JOHNSON. If now we substitute this amendment for paragraph 54, then we have not only eliminated olive oil from the amendment, but we have eliminated it from the bill.

Mr. BARKLEY. But in either case it will be necessary to put in a separate paragraph for olive oil, whether this amendment is defeated or agreed to.

Mr. JOHNSON. No; because that has already been agreed to.

Mr. BARKLEY. The Senate has already agreed to the tariff on olive oil.

Mr. JOHNSON. That is done.

Mr. BARKLEY. What the Senator is seeking to do now is to avoid nullifying the previous action of the Senate by a vote on this amendment.

Mr. JOHNSON. Exactly.

Mr. BARKLEY. But I do not see that that results from a vote on this amendment, even if it should be defeated.

Mr. JOHNSON. The Senator is quite right. It does not result. It simply results in an adverse vote upon an amendment a part of which related to olive oil. That, I prefer not to have.

Mr. BARKLEY. That seems to me to be more psychological than real.

Mr. WAGNER. Mr. President, may I suggest to the Senator from California that that might bring about a result which is very much desired, namely, to put olive oil upon the free list?

Mr. JOHNSON. Exactly what the Senator from New York would like to contend hereafter, and exactly what I do not propose he shall contend if I can avoid it.

Mr. SMOOT. The Senate has already decided that question.

Mr. JOHNSON. I realize that.

The VICE PRESIDENT. If the Chair may be permitted to make a suggestion, this matter could be closed, so far as olive oil is concerned, by adding the following:

Olive oil, weighing with the immediate container less than 40 pounds, 9½ cents per pound on contents and containers; olive, not specially provided for, 6½ cents per pound.

If that were added to the amendment of the Senator from Idaho it would protect olive oil.

Mr. JOHNSON. Of course it would protect olive oil; but what I am endeavoring to state, and what the vote unquestionably will demonstrate, is that there will be an adverse vote upon this amendment. That is what I fear; and I do not want an adverse vote upon something that already has been decided.

Mr. SMOOT. Then, if there is an adverse vote—

Mr. JOHNSON. I understand the consequences legally, of course; but I do not want the consequences otherwise.

Mr. BARKLEY. Psychological consequences?

Mr. JOHNSON. Call them that if you wish. You saw, Mr. President, the avidity with which my friend from New York rose immediately to claim that there had been an adverse vote upon something in which he is interested; and I do not wish that peculiar sort of situation presented.

Mr. FLETCHER. Mr. President, I ask to have inserted in the Record a letter on the subject of oils and fats.

The VICE PRESIDENT. Without objection, the letter will be printed in the Record.

The letter is as follows:

CONSOLIDATED FISHERIES CO.,
New York, January 27, 1930.

In re tariff on oils and fats

Hon. DUNCAN U. FLETCHER,

United States Senator of Florida, Washington, D. C.

DEAR SENATOR: Permit us, please, to address you on this important subject.

Our business is the manufacture of menhaden fish oil, used in the manufacture of soaps and numerous other commodities. Our investment is in excess of \$2,000,000.

The present duty of 5 cents per gallon for cod, herring, and menhaden oil and 6 cents per gallon for whale and seal oil is inadequate. Since 1924 the industry has been in a deplorable condition, brought about through the importation of animal and vegetable oils of interchangeable varieties produced or manufactured in foreign countries where labor and supplies, our principal items of expense, are less than one-half of ours.

The low prevailing duty has permitted the whale-oil industry, conducted almost exclusively by Norway, and the pilchard-oil industry of British Columbia and the Japanese herring oil industry to expand tremendously to the disaster of the American fish-oil industries. That disaster has prevailed among such industries in our country can best be visualized through the fact that at least 16 large American companies have been forced into bankruptcy since 1922, while the British Columbia pilchard fish oil industry has put in operation since 1924 approximately 30 plants, the Norway whale-oil industry will, it is reported, import to this country this year approximately 100,000,000 pounds of whale oil.

These oils come in direct competition with American fish oils. Their low labor and operating costs, the present low rate of duty favors them with an advantage that can be overcome only by our country increasing the present rate of duty from 5 cents per gallon to 2 cents per pound on all fish oils, 2.7 cents per pound on whale oils, and in no case less than 45 cents ad valorem on all animal and vegetable oils of an interchangeable variety that comes in direct competition with American fish oils.

We understand consideration of our oil schedule, beginning with paragraph 53, is to be given by your honorable body in the near future. We feel that you realize the importance of the American fisheries and its value to your good State—the amount of labor it employs; the amount of wealth it distributes. The industry should continue with the above-suggested increased rates in duty and make a reasonable fair profit. Without it we fear for the worst.

We could write you in greater length. We feel, however, that you are aware of the difficulties and necessities of the industry. We respectfully ask your full cooperation and support in this very important matter when it comes up for consideration, and would appreciate an acknowledgment from you of this letter.

Yours very truly,

CONSOLIDATED FISHERIES CO.,
R. C. HAYES, President.

Mr. GEORGE. Mr. President, before the vote is taken, I wish to propound a parliamentary inquiry.

If the amendment offered by the Senator from Idaho as he has perfected it is adopted, will it be in order to move to strike out one of the oils—for instance, palm oil in line 6, section 1—and include palm oil in the oils enumerated in paragraph 1733, in the free list?

The VICE PRESIDENT. It is open to amendment now. That should be done before a vote is taken upon the amendment, as this is an amendment to strike out and insert.

Mr. GEORGE. Then it would not be in order to move to strike that out after this amendment is adopted?

The VICE PRESIDENT. It would be before, but not afterwards.

Mr. GEORGE. Of course, palm oil or palm-kernel oil is on the free list under section 1733; but in the amendment offered by the Senator from Idaho this particular oil is made dutiable at 3.1 cents per pound, and I should not be able to support the duty upon that particular oil, though I feel generally sympathetic toward the other provisions of the amendment offered by the Senator from Idaho. Therefore, I propounded the inquiry.

Mr. SMOOT. Mr. President, I call for the question.

The VICE PRESIDENT. Does the Senator from California yield the floor?

Mr. JOHNSON. I yield the floor.

Mr. SMOOT. I ask for a vote.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Idaho, as modified.

Mr. SHORTRIDGE. I ask that the proposed amendment, as amended, be stated.

The VICE PRESIDENT. The modified amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 24, as a substitute for paragraph 54, it is proposed to insert the following:

On page 24, strike out lines 10 to 19, inclusive, and insert in lieu thereof the following:

PAR. 54. (a) Oils, vegetable:

(1) Castor, 5 cents per pound; hempseed, 4½ cents per pound; poppy seed, 8.8 cents per pound; rapeseed, 3.7 cents per pound; palm, 3.1 cents per pound; perilla, 4.6 cents per pound; sweet almond, 3.4 cents per pound.

(2) None of the foregoing shall be subject to a less rate of duty than 45 per cent ad valorem.

(3) All other expressed or extracted oils, not specially provided for, 45 per cent ad valorem.

(b) Vegetable tallow, 3.1 cents per pound, but not less than 45 per cent ad valorem.

On page 264, lines 20 and 21, strike out the comma following the word "Croton" and the words "palm, perilla, and sweet almond."

On page 273, strike out line 1.

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry. The VICE PRESIDENT. The Senator will state it.

Mr. SHORTRIDGE. If this amendment as modified is agreed to, what effect will it have on the action of the Senate heretofore taken fixing the rate on olive oil?

The VICE PRESIDENT. It will eliminate all reference to olive oil in that paragraph.

Mr. BARKLEY. Mr. President, I want to offer an amendment to strike from this proposed amendment perilla oil.

Mr. GEORGE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. GEORGE. The inquiry just submitted to the Chair was answered, but I want to inquire whether it would not be proper to offer an amendment continuing palm and perilla oils on the free list, if the amendment offered by the Senator from Idaho should be adopted, when the bill is in the Senate?

The VICE PRESIDENT. The bill will be subject to amendment when it gets into the Senate.

Mr. BARKLEY. Mr. President, I will not insist on my amendment at this time.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Idaho, as modified.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. ROBINSON of Indiana (when his name was called). I have a pair with the junior Senator from Mississippi [Mr. STEPHENS]. In his absence, not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. SHEPPARD. I desire to announce that the junior Senator from Washington [Mr. DILL] and the junior Senator from Oklahoma [Mr. THOMAS] are necessarily absent on official business.

Mr. COPELAND. I wish to announce that the junior Senator from Massachusetts [Mr. WALSH] is necessarily detained from the Senate. If present, he would vote "nay."

Mr. FESS. I desire to announce the following general pairs: The senior Senator from Pennsylvania [Mr. REED] with the senior Senator from Arkansas [Mr. ROBINSON];

The senior Senator from Illinois [Mr. DENEEN] with the senior Senator from Nevada [Mr. PITTMAN];

The junior Senator from New Mexico [Mr. CUTTING] with the junior Senator from Utah [Mr. KING]; and

The junior Senator from Rhode Island [Mr. HEBERT] with the junior Senator from Washington [Mr. DILL].

Mr. GLENN. I have a general pair with the junior Senator from Arizona [Mr. HAYDEN], which I transfer to the junior Senator from Vermont [Mr. DALE] and vote "nay."

Mr. BLEASE. I have a pair with the junior Senator from Rhode Island [Mr. HEBERT]. I am informed that he would vote the same as I shall vote, and I therefore vote. I vote "nay."

Mr. BROUSSARD. I have a pair with the senior Senator from New Hampshire [Mr. MOSES], who is absent. Not knowing how he would vote, I withhold my vote.

Mr. SIMMONS. I have a pair with the junior Senator from Ohio [Mr. McCULLOCH]. I transfer that pair to the junior Senator from Massachusetts [Mr. WALSH] and vote "nay."

Mr. BROCK. I have a pair with the junior Senator from Kansas [Mr. ALLEN], and withhold my vote.

Mr. BLACK (after having voted in the negative). I have a general pair on this question with the junior Senator from Colorado [Mr. WATERMAN]. I understand that if he were present he would vote as I have voted, so I permit my vote to stand.

The result was announced—yeas 26, nays 49, as follows:

YEAS—26

Borah	George	Norbeck	Shortridge
Brookhart	Harris	Nye	Stelwer
Capper	Heflin	Pine	Thomas, Idaho
Caraway	Jones	Ransdell	Townsend
Connally	McKellar	Schall	Trammell
Fletcher	McMaster	Sheppard	
Frazier	McNary	Shipstead	

NAYS—49

Ashurst	Glenn	Kendrick	Steck
Baird	Goff	Keyes	Sullivan
Barkley	Goldsborough	La Follette	Swanson
Bingham	Gould	Metcalf	Tydings
Black	Greene	Norris	Vandenberg
Blaine	Grundy	Oddie	Wagner
Bleas	Hale	Overman	Walcott
Bratton	Harrison	Patterson	Walsh, Mont.
Copeland	Hastings	Phipps	Watson
Couzens	Hatfield	Robison, Ky.	Wheeler
Fess	Hawes	Simmons	
Gillett	Johnson	Smith	
Glass	Kean	Smoot	

NOT VOTING—21

Allen	Dill	Moses	Thomas, Okla.
Brock	Hayden	Pittman	Walsh, Mass.
Broussard	Hebert	Reed	Waterman
Cutting	Howell	Robinson, Ark.	
Dale	King	Robinson, Ind.	
Deneen	McCulloch	Stephens	

So the amendment of Mr. THOMAS of Idaho was rejected.

Mr. JONES. Mr. President, some time ago I offered a substitute for paragraph 53. I am not going to press that, but I am going to offer an amendment in line 24, page 23, to strike out the numeral "5" and to insert in lieu thereof the numeral "15." The effect of that amendment would be to place a tariff of 15 cents per gallon on cod, herring, and menhaden, instead of 5 cents.

Mr. COPELAND. Mr. President, sometimes the oil made from pilchard is classified as herring oil. Is it the intention of the Senator from Washington to include pilchard oil?

Mr. JONES. I have not gone into the details of that. I have just taken the language in the bill as it passed the House, and did not modify it at all. Just how broad the word "herring" is as it is used in the House text I am not prepared to say. Probably the chairman of the committee can tell.

Mr. SMOOT. The oil spoken of by the Senator would fall in the basket clause under the 20 per cent ad valorem rate.

Mr. COPELAND. There is no question that it would not be included with the herring oil?

Mr. SMOOT. No question at all.

Mr. COPELAND. I want to have that clear, and I take it that it is the purpose of the Senator from Washington not to include pilchard oil?

Mr. JONES. I have no intention of modifying the language of the House text. I am satisfied the chairman of the committee understands fully just what that embraces. I am perfectly willing to take his statement with regard to it.

Mr. BARKLEY. What is the equivalent ad valorem of 15 cents per gallon on this oil, as used in the amendment?

Mr. JONES. That has been figured out.

Mr. SMOOT. It is about 42 per cent.

Mr. JONES. I have not had time to look over the papers, but I accept the statement of the chairman of the committee.

Mr. SMOOT. It is the equivalent of about 42 per cent ad valorem.

Mr. JONES. Mr. President, the Senator from Texas [Mr. SHEPPARD] has covered the different oils in a very clear and comprehensive way. All I desire to say with reference to this matter can be embraced within a few words.

The imports have been increasing very rapidly. The rate under existing law is 5 cents a gallon. The imports in 1920 were 4,318,000 pounds. In 1926 the imports amounted to 14,571,345 pounds. In 1927 they were 39,215,918 pounds, and in 1928 they amounted to 38,375,370 pounds, or, in round numbers, in 1928 the imports were nine times what they were in 1920. So that the imports of this fish oil are increasing very rapidly. Our people are engaging in the business of producing this fish oil, and have been to a considerable extent, but the foreign importations are making very great inroads into their business.

Mr. BARKLEY. Will the Senator give us the figures as to domestic production?

Mr. JONES. I do not have them, I am sorry to say. I just came into the Chamber a moment ago and I have not gone through all the papers I have. I am not prepared to say what our production is. The oil, of course, is produced from fish which are caught in the sea, both in the high seas and otherwise. What our people have produced in that way I am not prepared to say. Possibly the Senator from Utah [Mr. SMOOT] can give us the figures.

Mr. SMOOT. The production for 1928 was 45,587,645 pounds.

Mr. BARKLEY. Is that an increase or decrease?

Mr. SMOOT. For the year 1927 the production was 36,108,552 pounds, so there was an increase of 9,400,000 pounds.

Mr. BARKLEY. Per year?

Mr. SMOOT. That was the increase in 1928 over 1927.

Mr. JONES. What the Senator from Utah has presented shows that the imports have been increasing until they have reached practically the same amount that our people have been producing. It seems to me that very clearly indicates the need of an increased tariff.

Mr. SMOOT. I thought the Senator from Kentucky asked for the amount of production.

Mr. BARKLEY. Yes; that is what I wanted.

Mr. SMOOT. That is what I understood the Senator asked for and that is what I gave him.

Mr. JONES. In other words, the imports have increased from 4,000,000 pounds in 1920 to nearly the entire amount of our home production at this time. We showed a slight increase in production while the imports during the last year for which I have figures, 1928, were about 1,000,000 pounds less than they were in the preceding year. But even so, they were something over 38,000,000 pounds. I think that the duty on this product is fully justified and I hope that the amendment may be adopted.

Mr. COPELAND. Mr. President, in the Summary of Tariff Information I find that the imports of herring, sardine, and pilchard oil are classified together. I have no objection to a tariff on herring oil, but pilchard oil is extensively used as a raw material for yellow soap. If I may have the attention of the Senator from Utah for a moment—

The VICE PRESIDENT. Will the Senator from Utah give his attention to the Senator from New York?

Mr. COPELAND. May I say again for the benefit of the Senator from Utah that the imports of herring, sardine, and pilchard oils as found in the Summary of Tariff Information are classified together or are all in one table.

Mr. SMOOT. Yes.

Mr. COPELAND. I want to be very sure that the amendment of the Senator from Washington does not include pilchard oil. That, I take it from what the Senator from Utah said, is in the basket clause, but I am anxious to have the Record show that that was the understanding of the Senate.

Mr. SMOOT. There is no doubt about it that it falls in the basket clause of this schedule.

Mr. COPELAND. I thank the Senator. Now, let me ask the Senator from Washington about it. He heard what the Senator from Utah said just now, that there is no mistake about it, that pilchard oil is not included in the amendment proposed by the Senator from Washington.

Mr. JONES. There is no intention on my part to include it. All that my amendment does is to take the language of the House without modification, but to change the rate and to provide 15 cents per gallon. I do not intend to change the meaning and do not intend to include any more than the House intended to include. It does not include the oil the Senator from New York mentions.

Mr. COPELAND. I am asking in order that we may have it of record, so that when we vote for the Senator's amendment it will be understood that it does not include pilchard oil, but that that oil goes into the basket clause.

Mr. JONES. I am not intending to include it, I assure the Senator.

Mr. SIMMONS. Mr. President, can the Senator from Washington tell us what the domestic price per gallon is and what is the invoice foreign price?

Mr. JONES. I am very much in the same position as the Senator from North Carolina. I have been so busy that I have not had time to ascertain the facts and figures, as I should have done.

Mr. SIMMONS. Perhaps the Senator from Utah has the figures?

Mr. SMOOT. The import price for 1928 was 34.9 cents per gallon.

Mr. SIMMONS. What is the domestic price?

Mr. SMOOT. The domestic price would be about 39 cents.

Mr. SIMMONS. While the foreign-article price is 34.9 cents?

Mr. SMOOT. Yes; the import price is 34.9 cents.

Mr. SIMMONS. What is the American price for the domestic product?

Mr. SMOOT. It is about 39 cents per gallon.

Mr. SIMMONS. That is very strange. The Senator has the foreign price higher than the domestic price.

Mr. SMOOT. Of course, this price is the basket price and includes other oils that I can not separate because of the fact that they are all of the oils included in the basket clause as a whole. I can not say just what price any particular oil in the basket clause would be.

Mr. SIMMONS. What would the 15 cents per gallon rate be converted into ad valorem?

Mr. JONES. Forty-two per cent.

Mr. SMOOT. Yes; that is correct.

Mr. BLAINE. Mr. President, I merely want to call the attention of the Senate to the fact that there are no importations of menhaden oil.

Mr. SMOOT. I do not have that figure separately.

Mr. BLAINE. I ask the Senator if cod oil is not a by-product of the leather industry, whereby they take some old fish oil and use it in the leather industry and then squeeze out that old fish oil and that becomes cod oil. The proposal now is to put a tax of 42 per cent upon cod oil. That is the fact of the matter as to cod oil, is it not?

Mr. SMOOT. Cod oil is the class of oil the Senator has just described.

Mr. BLAINE. As I understand it also, menhaden oil is used principally as an ingredient in soap and there are no imports of menhaden oil.

Mr. SMOOT. Soap and paint. There is a good deal of it used in paint.

Mr. BLAINE. And some of it is used in linoleum, felt base, stuffing leather, and so on.

Mr. GLASS. Did the Senator say there are no imports of menhaden oil?

Mr. BLAINE. The Tariff Summary says there are no imports of menhaden oil and the exports are negligible.

Mr. SMOOT. It is an American product, I will say to the Senator.

Mr. BLAINE. I can not understand why there should be a 42 per cent tax on it.

Mr. SMOOT. The Senator from Washington [Mr. JONES] is interested in herring oil.

Mr. JONES. That is what I was about to state to the Senator.

Mr. SMOOT. In the other two oils he is not interested at all, but it is the language of the bill and the language that has been carried in tariff bills in the past, classifying the three of them together.

Mr. JONES. The Senator stated my position exactly.

Mr. BLAINE. I would like to ask the Senator from Washington the uses to which herring oil is put.

Mr. JONES. As I said, I came in just a moment ago and I have not had time to look it up. I imagine the Senator will find it in the Summary of Tariff Information. I do not know just the particular use to which fish oil is put.

Mr. SMOOT. Nearly all of it goes into soap.

Mr. JONES. Let me say that I had a conference this afternoon with the soap people, and they have no objection to a tariff on herring oil at all.

Mr. BARKLEY. Has the Senator from Washington conferred with the users of soap to find out whether they have any objection?

Mr. JONES. No; I have not had time to confer with all of them, but they have known for a long while that this matter has

been pending and have made no protest. The farmers of the country use soap and they have urged this tariff.

Mr. BLAINE. Mr. President, let me call the Senator's attention to the kind of farmers who have urged this increase in the tariff. They are the "farmers" who are farming the real farmers. They are the Loomises and the Holmans and the Grays, and Mr. Morse of the Du Pont organization. They are the "farmers" who have urged this tariff on fish oils. I am sure that there is no one who can dispute the accuracy of that statement.

Mr. McMASTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. BLAINE. Certainly.

Mr. McMASTER. I would like to ask a question if some one will answer it. In just what way would this tariff benefit the farmer?

Mr. SMITH. Do not the farmers raise fish? [Laughter.]

Mr. McMASTER. Not on dry land!

Mr. BLAINE. I can answer the Senator's question very easily, because it does not need an answer. Everybody knows that this tariff can not possibly aid the farmer. Let me advise the Senator that the name of one of the "farmers" who is interested in fish oils is Mr. Arnold, of the Southern Tariff League—Mr. Arnold, whom I need not berate here this afternoon, because the lobby committee has made a report on Mr. Arnold. The "farmers" who want this tariff are that type of farmers—farmers like Mr. Arnold and Mr. Holman, who receive compensation as lobbyists, as Mr. Arnold does from the Southern Tariff League. They are the "farmers" who are demanding this tariff. They are the "farmers" who entered into an agreement that they should combine their interests to jack up the tariff on oils and fats.

Mr. President, I hope that no one will have the temerity to suggest that there is a single real farmer in our broad land, except those of the type of the Arnolds and the Loomises and the Holmans and the Morses, who want this tariff. These are the "farmers" to whom the Senator from Washington [Mr. Jones] has referred as recommending an increase in these rates.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was rejected.

Mr. FRAZIER. Mr. President, some time ago the rate on flaxseed was increased from the amount carried in the bill of 63 cents per bushel to 65 cents per bushel. In order to have an adequate compensatory duty on linseed oil the rate must be increased in paragraph 54, page 24, line 13. The flaxseed crushers, those who manufacture the linseed oil from the flaxseed, constitute the only market the farmer who raises flaxseed has for that product; and unless there shall be a fair compensatory duty fixed upon the linseed oil, the increased duty on flaxseed will not afford the farmer any benefit.

It is a well-known fact that the imports of oil and flaxseed depend very closely upon the rate on flaxseed and the rate on linseed oil. I wish to move an amendment, on page 24, paragraph 54, line 13, to strike out "3.7 cents" and to insert in lieu thereof "4.8 cents."

The VICE PRESIDENT. That can only be done by reconsidering the vote by which the amendment of the committee was agreed to. Is there objection? Without objection, that vote is reconsidered, and the Senator from North Dakota may present his amendment.

Mr. FRAZIER. On page 24, paragraph 54, line 13, I move to strike out "3.7 cents" and to insert in lieu thereof "4.8 cents."

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Georgia?

Mr. FRAZIER. I yield.

Mr. GEORGE. I desire to inquire of the Senator if what he proposes is the proper compensatory rate, in view of the increase which has been made in the duty on flaxseed.

Mr. FRAZIER. I believe it is a fair compensatory rate, in order to give the farmer the advantage of the increase in the rate on flaxseed.

Mr. GEORGE. All the Senator intends by the amendment is to afford a proper compensatory duty, in order that there may not be an importation of the oil rather than the seed itself?

Mr. FRAZIER. Unless there shall be a fair compensatory duty fixed, the oil will be shipped in, and that will destroy the market which we have for our domestic flaxseed produced here at home.

Mr. BARKLEY. Mr. President, will the Senator from North Dakota yield at that point?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. FRAZIER. Yes; I yield.

Mr. BARKLEY. I understood the increased rate on flaxseed was from 63 to 65 cents per bushel.

Mr. FRAZIER. Yes.

Mr. BARKLEY. That is an increase of 2 cents a bushel, or about a 6 per cent increase, in the tariff on flaxseed; but the Senator's amendment proposed practically a 30 per cent increase in the tax on linseed oil. Is not that rather out of proportion to the 2 cents a bushel increase involved in the increase on flaxseed?

Mr. FRAZIER. When, by presidential proclamation issued last June, the rate on flaxseed oil was increased, the increased rate going into effect a month later, the rate on linseed oil as compared to that on flaxseed was reduced by the proclamation to what it was before that time, and the result was that much larger quantities of flaxseed were imported after that than there had been previously. That has been the history, I think, of the flaxseed and linseed oil tariff at all times. The crushers of the flaxseed claim that, in order to have a fair duty that will insure to the farmer the increase of duty on flaxseed, it is necessary to have a duty of 4.8 cents per pound for linseed oil.

Mr. BARKLEY. Mr. President, will the Senator from North Dakota yield there?

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. FRAZIER. I yield.

Mr. BARKLEY. How many pounds of linseed oil are produced by a bushel of flaxseed?

Mr. FRAZIER. I have not the figures before me as to that.

Mr. BARKLEY. The tariff on flaxseed is per bushel but the tariff on linseed oil is per pound.

Mr. FRAZIER. There are 56 pounds in a bushel of flaxseed.

Mr. BARKLEY. How many pounds of oil are extracted from a bushel of flaxseed?

Mr. FRAZIER. I have not the figures on that.

Mr. SMOOT. The yield of linseed is 18½ pounds from a bushel of flaxseed.

Mr. BARKLEY. So that a 2-cent-a-bushel increase in the tariff on flaxseed is bringing about a 20-cent increase on the amount of oil which is extracted from that bushel of flaxseed?

Mr. SMOOT. No; it is not that much.

Mr. BARKLEY. The amendment proposes an increase from 3.7 cents to 4.8 cents, which is 1.1 cents per pound, and 18 pounds multiplied by 1.1 cents will amount almost to 20 cents, so it is proposed to give linseed oil a 20-cent increase, based on a 2-cent increase on the flaxseed from which the linseed oil is produced.

Mr. SMOOT. The rate proposed is perhaps a little over what the computation would figure out, but it is so near the correct amount that I do not think it would make any difference at all, and I hope the amendment will be agreed to.

Mr. BARKLEY. Mr. President, in order to bring the rate down to the correct point, I offer an amendment in lieu of 4.8 cents to make it 4.3 cents.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Kentucky to the amendment offered by the Senator from North Dakota.

Mr. BLAINE. Mr. President, I should like to ask the chairman of the Finance Committee what the accurate scientific compensatory rate should be as found by the Tariff Commission? They must have reported to the President on this question, but I have not had the opportunity to look it up.

Mr. SMOOT. At that time the commission reported—but I understand that they have somewhat changed their position since—the rate would be 4.3 cents—the figure suggested by the Senator from Kentucky—but under existing conditions and in view of the expense attached to the business, which has already been called to the attention of the Senate by the Senator from North Dakota, 4.8 cents is not any too high. I think that is what the rate ought to be.

Mr. BLAINE. In the case of the rate of 4.3 cents, what freight differential was included?

Mr. SMOOT. From all mills to New York, as I remember. That is where it has to go.

Mr. BLAINE. What would be the compensatory rate on the basis of the freight rate differential from the central flax market, Minneapolis? There must be a difference in the compensatory rate when all freight rates are taken into consideration.

Mr. SMOOT. Taking the Chicago rate, it would be a little less, but the great bulk of it goes to New York.

Mr. BLAINE. What would it be in the case of Minneapolis?

Mr. SMOOT. That is the point from which it is shipped and the rate from there to Chicago is not as much as it is from there to New York.

Mr. BLAINE. The Minnesota Linseed Oil Co. is located in Minneapolis; what would be the compensatory rate in the case of that company?

Mr. SMOOT. It would be 4.12 cents, including transportation on mills from Chicago, Milwaukee, and east to New York.

Mr. BLAINE. Then it would seem that the rate ought not to be fixed at over 4.3 cents, else we are going to give the linseed-oil manufacturers of that region a concealed protective tariff to which they are not entitled, and, of course, that is going to be of no benefit to the flax grower.

I am perfectly willing to accept 4.3 cents; that will cover all freight differentials, and I understand even under that rate the crushers in the flax region will receive some benefit over and above that received by the crushers outside of that region; but we can not help that; I understand that we can not change the freight rates when we are fixing a compensatory rate; but if we fix the compensatory rate at 4.3 cents, then we have given them the entire compensatory duty, and I am rather inclined to think that in the case of flaxseed, as in many other products, even that rate includes a concealed protective duty. However, I have not studied the proposition sufficiently to express an opinion upon it.

Mr. SMOOT. I think this rate was worked out in closer detail, perhaps, than the rate as to any other commodity, because the product is virtually all of the same grade, and the Tariff Commission considered the statistics for a number of years in arriving at the figure which they submitted. This is the one commodity, I believe, on which the farmer gets every penny of protection which is granted; I think that is conceded; and I think there ought to be sufficient protection afforded at least to give the farmer a little advantage, and that is what I want to do.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. BLAINE. I will yield in just a moment. I want to suggest to the Senator that this concealed protection never does the farmer any good whatever. He pays the price. I was reading the minutes of the National Wool Association last night, and I noticed from those minutes that the junior Senator from Pennsylvania [Mr. GRUNDY] in his report to the association called their attention to the fact that all the tariff duty on wool at 31 cents a clean content pound cost the wool manufacturers was from 17 to 20 cents a pound.

Mr. President, I wholly concur in that. I argued along that line on the floor of the Senate, and I am not criticising the Senator from Pennsylvania. He was stating the fact as it exists, that the wool manufacturers pay on account of the tariff only from 17 to 20 cents a pound. Exactly the same situation exists, I have no doubt, with respect to all the compensatory duties. There is a concealed protection; and in this instance we have the difference between what the Tariff Commission found, 4.3 cents a pound, and 4.8 cents a pound, as suggested by the Senator from North Dakota.

Mr. FRAZIER. Mr. President, I understand that the Senator from Kentucky will agree to a rate of 4.5 cents a pound.

Mr. BARKLEY. Four and a half cents; yes.

Mr. FRAZIER. I am willing to agree to that.

Mr. BARKLEY. I modify my amendment by making it 4½ cents instead of 4.3 cents.

The VICE PRESIDENT. The question is on the modified amendment of the Senator from Kentucky to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. SMOOT. Mr. President, there is an amendment on page 264, and that will close the oil paragraph.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 264, line 21, it is proposed to strike out "olive oil and palm-kernel oil rendered," and insert:

Olive, palm-kernel, rapeseed, sunflower, and sesame oil, rendered.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Georgia if he is ready to take up hats, bonnets, and handkerchiefs to-morrow?

Mr. GEORGE. To what section does the Senator refer?

Mr. SMOOT. Hats and bonnets, first. I understood that the Senator desired to offer certain amendments to that paragraph.

The VICE PRESIDENT. Paragraph 1505.

Mr. GEORGE. The Senator is mistaken.

Mr. BARKLEY. I will say to the Senator that I shall be ready to take up handkerchiefs to-morrow.

Mr. SMOOT. I do not want to take up the hat paragraph until the Senator from Massachusetts [Mr. WALSH] is here. I understand that he will be here to-morrow. I desire to give notice now that the first thing we will take up is handkerchiefs; and, following that, if the Senator from Massachusetts is not here, I shall ask the Senate to consider cement, and, following cement, gypsum.

Mr. BARKLEY. While we are on handkerchiefs, why not finish the paragraph on clothes, which went over at my request?

Mr. SMOOT. I have not that marked on my copy.

Mr. BARKLEY. It is one of the paragraphs that went over at my suggestion.

Mr. SMOOT. I failed to mark it on my book; but, if that is the case, we will consider that following handkerchiefs.

Mr. GEORGE. May I inquire of the Senator if the amendments in lines 1 and 2 on page 265 were agreed to?

The VICE PRESIDENT. The record shows that those amendments were agreed to.

Mr. JONES. Mr. President, I desire to ask the Senator from Utah about another matter. There are two matters that are of considerable importance, and I wish to know a little ahead of time when they are coming up. I do not want to be rather surprised in regard to them, as I was with reference to this other matter, although I am satisfied that the outcome would have been the same.

There is a proposal to put a tariff on lumber. Quite a good many of the Senators are interested in that subject; and I should like to know two or three days ahead of time when that probably can be brought up. I am perfectly willing to suit the convenience of the Senator from Utah. Of course, if there are other committee amendments to be disposed of, it probably could come up after they are disposed of; but I should like to have two or three days' notice.

Mr. SMOOT. I will give the Senator notice as far ahead as I can.

Mr. JONES. Also, when can we take up the proposition with reference to the countervailing duty on coal that I referred to the other day, and that was adopted during the absence of a lot of us who are interested in that matter?

Mr. SMOOT. I will say to the Senator that I shall ask the Senate to reconsider that matter, and ask that the Senate adopt the countervailing duty.

Mr. JONES. That is fine. Can we not dispose of that right now, if that is the case?

Mr. SMOOT. There were four of those matters; and I expect to hear from the State Department by to-morrow as to whether it would be satisfactory to the department to replace the others in the bill.

Mr. JONES. I am in no hurry.

Mr. SMOOT. But I assure the Senator that it will be done, so far as coal is concerned, before we get through the bill.

Mr. JONES. That is fine. Then the matter of lumber will be left for the future?

Mr. SMOOT. Yes.

Mr. JONES. And the Senator will let me know, when he is prepared to take it up, two or three days ahead?

Mr. SMOOT. Just as long a time ahead as I can.

Mr. JONES. With all these matters pending, we ought to be able to arrange two or three days beforehand before that amendment is taken up.

Mr. SMOOT. I will try to do it.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. COPELAND. I assume that when these odds and ends that have been left over are taken care of the Senator intends to begin with Schedule 1 and go through the bill in regular order?

Mr. SMOOT. I should like to ask unanimous consent, when all of these are cleaned up, to begin with Schedule 1 and dispose of all individual amendments to that schedule and have it finally concluded, and then go on to Schedules 2 and 3 and so on through the bill. The only reason why we have had oil and other matters considered at this time is because more than one paragraph was involved.

Mr. WALSH of Montana. Mr. President, let me ask the Senator whether it would not be appropriate also to take up the amendments offered from the floor in the order in which they are addressed to provisions of the bill?

Mr. SMOOT. The Senator means individual amendments to Schedule 1?

Mr. WALSH of Montana. Yes. One Senator offers an amendment to page 1 of Schedule 1, and some other Senator offers an amendment to something appearing on page 5 of the bill, being the same schedule. My idea is that the amendments

ought to be taken up in just exactly the order in which they are addressed to the provisions of the bill.

Mr. SMOOT. The trouble with that is that the Senator may not be on the floor at the time when they would be reached.

Mr. WALSH of Montana. It was my idea that if it were understood that the amendments would be considered in that order the Senator would make it a point to be here at that particular time; but if perchance he happened to be absent, it would be easy enough to induce the Senate to go back to the matter. I thought that would be the more orderly way rather than to have a scramble for precedence in the consideration of the various amendments.

Mr. BARKLEY. Mr. President, in that connection I desire to ask a question. I have a number of amendments that I shall offer to the first three schedules on behalf of the minority members of the subcommittee having those in charge. Is it the policy, when we reach that point, to complete each one of these sections finally as we deal with it, or will it be in order for any Senator to offer an amendment after we have passed a given paragraph in one of these schedules?

Mr. SMOOT. I should like to have each paragraph of the schedule completed. The Senator's suggestion is a very good one. Not only that, but if that were followed out we could have the experts here from the Tariff Commission, knowing just exactly what would be brought up and when it would be brought up.

I will say to the Senator from Montana that as far as possible I shall be glad to follow that course.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. COPELAND. I understand that the way the Senator intends to do when we start on the individual amendments is this: He is going to begin with Schedule 1, paragraph 1, and take up any amendments to paragraph 1, as suggested by the Senator from Montana, and finish paragraph 1, and then take up the second paragraph, and so on—in other words, clear up each paragraph as we go along. Is that the plan?

Mr. SMOOT. That is what I should like to do.

Mr. HARRISON. Mr. President, the Senator is not asking for any unanimous-consent agreement now?

Mr. SMOOT. Not at all. We are just discussing the question of procedure; that is all.

Mr. BARKLEY. Mr. President, some time ago the Senator served notice that he was going to take up the valuation of chemicals two or three days ago, and the matter has gone over each day since then. When is that going to come up?

Mr. SMOOT. Another request came to-day that it go over, so I think the best thing to do now is this: We are pretty well cleaned up now with the committee amendments, outside of hats and handkerchiefs. Those are about all that are left now of the committee amendments. When they are completed, if there is no objection, I shall not ask to consider anything else then other than just the program we have been discussing now.

Mr. McKELLAR. When are chemicals coming up?

Mr. SMOOT. They will come up the very first thing.

Mr. McKELLAR. To-morrow?

Mr. SMOOT. I do not know whether they will be reached to-morrow or not.

Mr. HARRISON. I hope the Senator will not lay that down as the procedure. We are working on some amendments. We have not finished them yet. The minority members might want a conference as to what amendments they are going to offer; and we do not want to have to offer them now to the chemical schedule, and so forth.

I had thought that the way the Senator was going to proceed was all right. We know that there is a fight on upon cement. We know that there is a fight on upon gypsum. We know that there is a fight on upon lumber. Why not take up these major propositions and get them out of the way first?

Mr. SMOOT. I thought that was what we were going to do; and that is why I gave notice that I should like to take up cement and gypsum following the committee amendments.

Mr. HARRISON. What is the objection to taking up cement about Wednesday or Thursday—Thursday would be all right—and follow it with gypsum?

Mr. SMOOT. I see no objection to that.

Mr. BARKLEY. It is hard to tell how much time will be consumed on cement. It is my intention to offer an amendment restoring cement to the free list, and that may involve a discussion for a whole day; so it is not very safe to put anything else on the program for that day, except as a matter of precaution, if we should run out of work.

Mr. SMOOT. I am just giving notice so that they will come up in their order.

Mr. COPELAND. As I understand, the Senator to-morrow will take up pedaline braids, hats, and handkerchiefs?

Mr. SMOOT. Yes.

Mr. COPELAND. And then, immediately following, he will take up cement, and then gypsum?

Mr. SMOOT. That is what I should like to do if there is no objection to it; and I do not see why we could not do that, because those are the two items that have not been disposed of.

The PRESIDING OFFICER (Mr. Fess in the chair). The Chair will state that yesterday the order was, hats and braids first; handkerchiefs, second; oils, third; then, cement. Is there a change in that order?

Mr. COPELAND. No; I want that order, if there is no objection. I should like to have it carried out.

The PRESIDING OFFICER. That was agreed to yesterday.

Mr. SMOOT. Mr. President, I ask unanimous consent that when the Senate concludes its session to-day it take a recess until 11 o'clock to-morrow morning.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Utah? The Chair hears none, and it is so ordered.

Mr. ROBSION of Kentucky. Mr. President, may I have the attention of the Senator from Utah? In reading the Record I notice that some days ago a motion was made to repeal the countervailing duty on soft coal, bituminous coal, between Canada and the United States.

Mr. SMOOT. I just gave notice that I shall ask that that be restored.

Mr. ROBSION of Kentucky. That it be restored?

Mr. SMOOT. Yes.

EXECUTIVE SESSION

Mr. WATSON. I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate sundry executive messages from the President of the United States, which were referred to the appropriate committees.

THE CALENDAR

The PRESIDING OFFICER. There are two treaties on the Executive Calendar reported favorably. Owing to the absence of the chairman of the Committee on Foreign Relations they will be passed over. The nominations on the calendar will be announced in their order.

The legislative clerk read as follows:

COAST GUARD

Samuel L. Denty to be temporary ensign.

COAST AND GEODETIC SURVEY

James Stuart Massey to be aide, with relative rank of ensign in the Navy.

Maurice Elmer Wennermark to be aide, with relative rank of ensign in the Navy.

Charles Armstrong Schanck to be junior hydrographic and geodetic engineer, with relative rank of lieutenant in the Navy.

Mr. JOHNSON. Mr. President, the four nominations just read were favorably reported from the Commerce Committee, and I move that they be confirmed.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

POSTMASTERS

The legislative clerk proceeded to read the nominations of sundry postmasters.

Mr. PHIPPS. I ask that Calendar No. 1713, the nomination of John P. Balee to be postmaster at Guthrie, Ky., and Calendar No. 1998, the nomination of George B. Black to be postmaster at Comanche, Tex., go over; and I ask that the other nominations of postmasters be confirmed en bloc.

Mr. CONNALLY. Owing to confusion in the Chamber I could not hear the Senator distinctly. May I ask him whether he requested that the nomination for postmaster at Comanche, Tex., go over?

Mr. PHIPPS. I did.

Mr. CONNALLY. Action on that is deferred?

Mr. PHIPPS. Action on that is to be deferred.

The PRESIDING OFFICER. Without objection, the nominations, with the two exceptions stated, are confirmed, and the President will be notified.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations for promotions and appointments in the Regular Army.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for promotions in the Navy.

Mr. HALE. I move that the nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations for promotions in the Marine Corps.

Mr. HALE. I make the same motion with regard to these nominations.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

RECESS

Mr. WATSON. Mr. President, as in legislative session, I move that the Senate take a recess, the recess being until 11 o'clock to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.), under the order previously entered, took a recess until to-morrow, Wednesday, January 29, 1930, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate January 28 (legislative day of January 6, 1930)

AMBASSADOR EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Fred Morris Dearing, of Missouri, now envoy extraordinary and minister plenipotentiary to Portugal, to be ambassador extraordinary and plenipotentiary of the United States of America to Peru.

UNITED STATES MARSHALS

Inslee C. King, of Tennessee, to be United States marshal, eastern district of Tennessee. (He is now serving in this office under an appointment which expired January 4, 1930.)

Daniel F. Breitenstein, of New York, to be United States marshal, northern district of New York. (He is now serving in this office under an appointment which expired January 14, 1930.)

William J. Williams, of Ohio, to be United States marshal, northern district of Ohio, to succeed George A. Stauffer, whose term expired January 13, 1930.

PROMOTIONS IN THE NAVY

Lieut. Commander Percy K. Robottom to be a commander in the Navy from the 10th day of November, 1929.

Lieut. (Junior Grade) Harry E. Rice, jr., to be a lieutenant in the Navy from the 1st day of April, 1927.

Lieut. (Junior Grade) Ralph T. Zinn to be a lieutenant in the Navy from the 13th day of March, 1929.

Ensign Samuel J. McKee to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1929.

Passed Asst. Dental Surg. Henry R. Delaney to be a dental surgeon in the Navy, with the rank of lieutenant commander, from the 7th day of January, 1930.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, from the 7th day of January, 1930:

Charles J. Harter.
Wilson S. Hullfish.
Sidney P. Vaughn.
Hugh F. Gallagher.
Robert O'Hagan.
George C. Tasker.
Charles C. Timmons.
Michael J. Stubbs.
Alfred B. Clark.
Henry Gullmette.
John Flynn.
Verne V. M. Boggs.
Harry Atwood.

Bert R. Peoples.
Percy C. Corning.
Philip A. Caro.
Roark Montgomery.
William C. Wallace.
Thomas A. Durham.
Gaillard Rembert.
Wallace Prior.
Edwin F. Barker.
Walter A. Buck.
Thomas E. Hipp.
Ray C. Sanders.

Passed Assistant Paymaster Albert R. Schofield to be a paymaster in the Navy, with the rank of lieutenant commander, from the 31st day of August, 1929.

The following-named gunners to be chief gunners in the Navy, to rank with but after ensign, from the 18th day of October, 1929, to correct the date of rank as previously nominated and confirmed:

Hugh C. Adams.
Ernest L. Rairdon.
Harold L. Whiteacre.

The following-named electricians to be chief electricians in the Navy, to rank with but after ensign, from the 13th day of October, 1929:

Samuel A. Devlin.
Claude P. Metcalf.
Lester M. Larson.
Frederick Myers.
The following-named radio electricians to be chief radio electricians in the Navy, to rank with but after ensign, from the 8th day of November, 1929:
Albert J. Berberich.
Edgar J. DesRosier.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 28 (legislative day of January 6), 1930

COAST GUARD

Samuel L. Denty to be temporary ensign.

COAST AND GEODETIC SURVEY

James Stuart Massey to be aide, with relative rank of ensign in the Navy.

Maurice Elmer Wennermark to be aide, with relative rank of ensign in the Navy.

Charles Armstrong Schanck to be junior hydrographic and geodetic engineer, with relative rank of lieutenant, junior grade, in the Navy.

APPOINTMENTS IN THE ARMY

To be inspector general, with rank of major general
Hugh Aloysius Drum.

To be second lieutenant, Air Corps

Earle Thomas MacArthur, jr.	Robert Shuter Macrum.
Norman Bert Olsen.	Charles Lawrence Munroe, jr.
Curtis Emerson LeMay.	Llewellyn Owen Ryan.
Kenneth Ross Crosher.	Cyril Chappellet.
Louis Ellis Massie.	William Richard Morgan.
Stuart Phillips Wright.	Philo George Meisenholder.
William Charles Dolan.	John Waldron Egan.
Ivan Lonsdale Farman.	Louis Murray Rawlins, jr.
William Alexander Schulgen.	Hanlon H. Van Auken.
Daniel Beckett White.	Robert Oswald Cork.
Donald Harvey Baxter.	William Courtney Mills.
Louis Adolph Vaupre.	Herbert Henry Tellman.
Alfred Lot Beatie.	John Koehler Gerhart.
Samuel Oswald Redetzke.	Harold Loring Mace.
Roy Thomas Wright.	Sidney John Nelson.
Maurice Warren Judd.	George Brinton McLellan.
Edward Lapsley Anderson.	Elder Patteson.
Edward Wharton Anderson.	Francis Hopkinson Griswold.
John Coleman Covington.	Leon Ray Brownfield.
Winslow Carroll Morse.	Robert Whitney Burns.
Casper Perrin West.	Daniel Webster Jenkins.
William Leroy Kennedy.	William Marshall Prince.
Charles Francis Pugh.	Clarence Frank Hegy.
Jesse Auton.	James Presnall Newberry.
Harry Whitfield Howze.	Robert William Goetz.
John Paul Ryan.	Stoyte Ogleby Ross.
Albert Wynne Shepherd.	Joseph Wiley Baylor.

PROMOTIONS IN THE ARMY

Albert Edgar Phillips to be colonel, Cavalry.
Rowland Beverley Ellis to be colonel, Cavalry.
Selwyn Dyson Smith to be colonel, Cavalry.
Byard Sneed to be lieutenant colonel, Adjutant General's Department.

George Williamson DeArmond to be lieutenant colonel, Field Artillery.

Frank Maxwell Andrews to be lieutenant colonel, Air Corps.
Oscar Westover to be lieutenant colonel, Air Corps.

Cortlandt Parker to be lieutenant colonel, Field Artillery.
John Sedgwick Pratt to be lieutenant colonel, Coast Artillery Corps.

Paul Everton Peabody to be major, Infantry.
Albert Francis Christie to be major, Infantry.

Robert McClean Carswell to be major, Coast Artillery Corps.
Ernest Hill Burt to be major, Judge Advocate General's Department.

Ray Milton O'Day to be major, Infantry.
Stacy Knopf to be major, Field Artillery.

Martin Robert Reiber to be major, Medical Corps.
William Kenneth Turner to be major, Medical Corps.

PROMOTIONS IN THE NAVY

Leigh Noyes to be captain.
Benjamin O. Wells to be lieutenant commander.

Kenneth M. Hoeffel to be lieutenant commander.

Eugene E. Elmore to be lieutenant.
 Edwin V. Raines to be lieutenant.
 William R. Terrell to be lieutenant.
 William B. Whaley, jr., to be lieutenant.
 Robert C. Strong, jr., to be lieutenant.
 James M. Flynn to be lieutenant (junior grade).
 Valery Havard, jr., to be lieutenant (junior grade).
 John H. Brownfield to be lieutenant (junior grade).
 William R. Brown to be chief boatswain.
 James B. Ayres to be chief gunner.
 George H. Blackmun to be chief pharmacist.

MARINE CORPS

Harry B. Liversedge to be captain.
 Luther A. Brown to be first lieutenant.
 John Wehle to be second lieutenant.
 Lewis R. Tyler to be second lieutenant.
 William P. Battell to be second lieutenant.
 Edson L. Lyman to be second lieutenant.
 James P. Berkeley to be second lieutenant.
 Peter A. McDonald to be second lieutenant.
 Archibald D. Abel to be second lieutenant.
 William W. Childs to be second lieutenant.
 Charles E. Shepard, jr., to be second lieutenant.
 Michael McG. Mahoney to be second lieutenant.

POSTMASTERS

ALABAMA

Zebedee Vick, Corona.

ARIZONA

Joseph P. Downey, Miami.
 Harry B. Riggs, Patagonia.

COLORADO

Frank L. Barton, Haxtun.
 Christopher C. Eastin, Kremmling.
 Sylvester E. Hobart, Nunn.
 Loran G. Denison, Telluride.
 Cora E. Taggart, Wheat Ridge.

CONNECTICUT

William E. Gates, Glastonbury.
 John E. Casey, Kent.
 John H. Delaney, Middlebury.
 Durward E. Granniss, New Preston.
 Charles A. Jerome, Plainfield.
 Edward Perkins, Suffield.
 Frank M. Smith, Willimantic.
 Robert O. Judson, Woodbury.

IDAHO

Chester O. Cornwall, Rupert.

ILLINOIS

Clarence H. Loveridge, Alexis.
 Albert T. McLane, Arcola.
 Frank E. Learned, Benson.
 Joseph H. Boos, Carbondale.
 John E. Humbert, Chadwick.
 Ralph W. Colver, Cherry.
 Edwin E. Ellsworth, Libertyville.
 Charles A. Pease, Malta.
 Roy A. Gulley, Sesser.
 Harry E. Gemmill, Shannon.

KANSAS

Otto E. Becker, Bazine.
 Clarence R. Haymond, Burdett.
 John R. Shoup, Cimarron.
 Floyd I. Shoaf, Clay Center.
 Asahel A. Castle, Clayton.
 Mary C. Carroll, Conway Springs.
 John W. Baker, De Soto.
 Ruth Satterthwaite, Douglass.
 Bertram W. Wernette, Dresden.
 Shamus O'Brien, Florence.
 Rose R. Stapleton, Fulton.
 Fred G. Kienzle, Great Bend.
 Earl W. Davis, Grinnell.
 William T. Flowers, Havensville.
 Anna E. Waterman, Healy.
 Ovid Butler, Hoisington.
 Carl A. Reynolds, Humboldt.
 Leo L. George, Irving.
 Harry E. Simpson, Jennings.

D. Dee Davis, Larned.
 Ralph W. Martin, Moran.
 Dee F. Hahn, Philippsburg.
 George W. Connelly, Plainville.
 Willis E. Baker, Pleasanton.
 Ruth N. Nickerson, Rexford.
 John A. Coffman, Sedgwick.
 James M. Kendall, Summerfield.
 J. Raymond E. Simmons, Wellsville.

KENTUCKY

Belle Gray, Corbin.

LOUISIANA

Bernard Isaacs, Gueydan.
 Mable B. Leland, Kinder.

MARYLAND

Joseph M. Armstrong, Annapolis.
 Charles W. Miles, Forest Glen.

MASSACHUSETTS

Benjamin S. Whittier, East Walpole.
 Horace D. Prentiss, Holyoke.
 Forrest D. Bradshaw, South Sudbury.
 Roger W. Cahoon, jr., West Harwich.

MICHIGAN

Sylva Blain, Alba.
 Fred W. Fitzgerald, Bellevue.
 Ernest Muscott, Breckenridge.
 Charles G. Chamberlain, Breedsville.
 Perry F. Powers, Cadillac.
 Martin C. Kilmark, Coloma.
 Karl A. Boettger, Dexter.
 Curtis G. Reynolds, Dundee.
 David E. Hills, Fife Lake.
 Helen L. Brown, Inkster.
 Robert H. Benjamin, Mackinac Island.
 John A. Meier, Manistee.
 George N. Jones, Marine City.
 Harry N. Colby, New Lothrop.
 Leslie A. Quale, Onkama.
 Ray G. Turner, Onsted.
 Victoria Jesionowski, Posen.
 Alfred Buetow, Reese.
 Charles W. Munson, Republic.
 May Rowley, St. Charles.
 Augustus D. Thorp, Sand Lake.
 J. Harry Wright, Sherwood.
 Victor L. Hardest, Trout Creek.

MISSISSIPPI

William M. Ferrell, Ashland.
 Ossie J. Page, Sumrall.
 Alfis F. Holcomb, Waynesboro.

MISSOURI

Roy D. Eaton, Powersville.
 J. Herbert Hunter, Russellville.
 William H. Jackson, Winfield.

NEBRASKA

Leslie J. Hummel, Burwell.
 Loa Hubbard, Chambers.
 Fred A. Scofield, Columbus.
 William J. Stilgebauer, Danbury.
 Orley D. Clements, Elmwood.
 William S. Brown, Fairmont.
 Frank G. Frame, Fullerton.
 Luther A. Howard, Hyannis.
 Alonzo A. Jackman, Louisville.
 Edward H. Hering, Orchard.
 Walter S. Tyler, Palisade.
 Nellie L. Miller, Rulo.
 August Dormann, Scottsbluff.
 Joseph B. Hines, Wahoo.
 Carl A. Holmquist, Wausa.

NEW JERSEY

Harry Harsin, Asbury Park.
 William E. Hartman, Grasselli.
 Anna K. Brubaker, Mountain View.
 Frank K. Ridgway, Woodstown.

NEW YORK

George A. Phillips, Bemus Point.
 Louis P. Miller, Cairo.

Arthur K. Lansing, Cambridge.
 William Tracey, Canandaigua.
 John H. Roberts, Canastota.
 William M. Stuart, Canisteo.
 William B. Donahue, Catskill.
 Fred McIntosh, Churchville.
 Francis L. Worden, Cossackie.
 Louis H. Buck, Dannemora.
 Eva C. Sager, Frewsburg.
 John Newton, Holcomb.
 William C. Calkins, Houghton.
 Solomon Feinberg, Lake Placid.
 Marian L. Woodford, Marcellus.
 Robert H. Johnston, jr., Merrick.
 George M. Atwell, Mountain Dale.
 Edgar M. Schanbacher, Newfane.
 Lillian M. James, North Creek.
 Frank G. Sherman, Oneonta.
 Harry T. Weeks, Patchogue.
 Lionel J. Desjardins, Piercefield.
 Frank P. Daley, Port Henry.
 Ethel Kelly, Pyrites.
 William D. Streeter, Richland.
 Fergus E. Fitzsimmons, St. Bonaventure.
 William Storey, Sonyea.
 Stanley D. Francis, Tannersville.
 Fred D. Seaman, Unadilla.
 William B. Stewart, Walden.
 Warren A. Bush, Wilson.
 Edward W. Elmore, Yorkville.

NORTH CAROLINA

Carlie A. Guy, Angler.
 Sallie F. Troy, Bolton.
 Sion H. Rogers, Clarkton.
 John L. Scruggs, Cliffside.
 David W. Alexander, Connellys Springs.
 Norman V. Johnson, Denton.
 Roscoe C. Tucker, Fair Bluff.
 Charles C. Hammer, Gibsonville.
 Joshua P. Jessup, Hertford.
 Robert B. Dunn, Kinston.
 Henry T. Atkins, Lillington.
 Abram W. Titman, Lowell.
 Sallie K. Wilkins, Magnolia.
 William L. Peace, Oxford.
 William E. Rutledge, Yadkinville.

NORTH DAKOTA

Ada E. Olson, Fingal.
 Noyes H. Whitcomb, Flasher.
 Meeda McMullen, Forest River.
 Arthur B. McLaughlin, Hope.
 Ruth L. Gibbons, Lawton.
 Leif O. Fjeld, Mayville.
 Ettephina C. Winkler, Montpelier.
 William E. Burhans, Sentinel Butte.
 Milton T. Hefty, Walcott.
 Thaddeus C. Michael, Willow City.

OKLAHOMA

Walter Waller, Carter.
 Rosa B. Britton, Cyril.
 Jesse W. Pinkston, Drumright.
 Edwin C. Willison, Elk City.
 Rose Crowder, Krebs.
 David King, Luther.
 John W. Vandervort, Madill.
 Frank J. Kohr, Poteau.
 William M. Bennett, Sentinel.
 Alta G. Stockton, Sparks.

OREGON

Stephen A. Easterday, Clatskanie.
 Ronald E. Esson, Sandy.
 Frank B. Hamlin, Springfield.

PENNSYLVANIA

James F. Wills, Belleville.
 Harley E. Smith, Benton.
 Glenn W. Irvin, Conneaut Lake Park.
 James J. Donnelly, Johnsonburg.
 Franklin T. Dindinger, Monaca.
 Jeanne C. Lewis, Weedville.
 Alden M. Schnell, Youngsville.
 Ralph O. Knauss, Topton.

SOUTH CAROLINA

David N. Baker, Olanta.
 James R. Anderson, Travellers Rest.

SOUTH DAKOTA

William A. Dalziel, Davis.
 Tillie M. Cowman, Gayville.
 Myrtle M. Giles, Lane.
 Patrick J. Dunn, Orient.
 William J. Morrow, St. Lawrence.
 Horace G. Wilson, Wagner.

TENNESSEE

Blanche Godsey, Bluff City.
 Augustus F. Shults, Caryville.
 Granville W. Harp, Jellico.
 John W. Wiggs, Paris.

TEXAS

Hugh T. Chastain, Alvarado.
 Henry J. Whitworth, Avinger.
 Elmer Carlton, Carlton.
 Charles F. Wilson, Celina.
 Fred W. Nelson, Clifton.
 William C. Young, Garrison.
 Alonzo Phillips, Loraine.
 Fay F. Spragins, Martindale.
 Mae Sheen, Mertzon.
 Lucy Breen, Mineola.
 Mary L. Young, Newcastle.
 Cora E. Antram, Nocona.
 Maude A. Price, Petrolia.
 Lillie Brown, Ralls.
 Bessie B. Hackett, Raymondville.
 James A. Carter, Richland Springs.
 William T. Phillips, Stamford.
 John B. White, Waller.
 Wade Arnold, Wellington.

VIRGINIA

Fred D. Millard, Bristol.

WASHINGTON

Oscar A. Kramer, Asotin.
 Rollie K. Waggoner, Bickleton.
 Arnold Mohn, Bothell.
 Horace S. Thompson, Cle Elum.
 Zophar Howell, Edmonds.
 Oscar W. Behrmann, Fairfield.
 Roy E. Carey, Hartline.
 Addie McClellan, North Bend.
 Guy McReynolds, Oakesdale.
 David W. Packard, Oak Harbor.
 John L. Field, Quincy.
 James E. Clark, Ryderwood.
 James S. Atwood, Sultan.
 Fred Arrowsmith, Sunnyside.
 Cyrus F. Morrow, Walla Walla.

WEST VIRGINIA

Joe W. Bailey, Kenova.
 Sherman R. Jones, Lundale.
 Fernando D. Williams, Matoaka.
 Thomas L. Wolfe, Ravenswood.

WISCONSIN

Andrew C. Redeman, Amberg.
 Robert A. Elder, Argonne.
 Charles G. Ballhorn, Bear Creek.
 George E. Alderson, Benton.
 Foster V. Winegar, Clinton.
 Frank J. Duquaine, Crivitz.
 Guy E. Brigham, Darien.
 David M. Enz, Denmark.
 May I. Kinsey, Fish Creek.
 John E. Huff, Florence.
 Edward M. Perry, Forestville.
 Leland G. Clark, Greenleaf.
 Douglas Hodgins, Hortonville.
 Paul J. Zeidler, Lomira.
 Hannah Goodyear, Niagara.
 Edward M. Walker, Plainfield.
 Julia D. Knappmiller, Pound.
 Edward E. Pytlak, Pulaski.
 Martin J. Jischke, Sister Bay.

WYOMING

Elmer T. Beltz, Laramie.

HOUSE OF REPRESENTATIVES

TUESDAY, January 28, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed be Thy name, O Lord Most High, for Thy infinite goodness and for Thy condescension toward all Thy children. We thank Thee for another day, which is a door by which we may enter upon our chosen task, perform the unselfish act, and live the beautiful life. At the very summits of our beings may we know the unknowable, see the unseen, and, though of this earth, yet lose ourselves in God. Ever keep open the pathway of our dearest longings and our purest desires. We would accept and make Thee the outward and unselfish aim of our lives. Bless our children and friends, for they are the dearest treasures of earth. Let unbroken love and everlasting joy crown every head. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 2668. An act granting the consent of Congress to the Missouri-Kansas-Texas Railroad Co. to construct, maintain, and operate a railroad bridge across the Missouri River at Boonville, Mo., in substitution for and in lieu of an existing bridge constructed under the authority of an act entitled "An act to authorize the construction of a bridge across the Missouri River at Boonville, Mo.," approved May 11, 1872;

S. 3168. An act to amend the act entitled "An act to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with the Arlington Memorial Bridge across the Potomac River at Washington," by adding thereto two new sections, to be numbered sections 8 and 9; and

S. J. Res. 30. Joint resolution authorizing the use of tribal moneys belonging to the Fort Berthold Indians of North Dakota for certain purposes.

PERMISSION TO ADDRESS THE HOUSE

Mr. COOPER of Ohio. Mr. Speaker, to-morrow, the 29th day of January, is the anniversary of the birth of William McKinley. I ask unanimous consent that after the reading of the Journal and disposition of matters on the Speaker's table the gentleman from Ohio [Mr. McCLINTOCK] be permitted to address the House not to exceed 15 minutes on the life and character of William McKinley.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

THE PROPOSED POTOMAC PARK

Mr. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the proposed Potomac River Park by printing in the RECORD a minority report by former Chief of Engineers, Gen. Edgar Jadwin, on that subject, and a letter addressed to me discussing certain features of the report by the executive committee of the National Rivers and Harbors Congress.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the proposed Potomac River Park by printing a minority report by former Chief of Engineers, General Jadwin, and a letter addressed to himself discussing the matter. Is there objection?

There was no objection.

The matter referred to is as follows:

NATIONAL RIVERS AND HARBORS CONGRESS,
Washington, D. C., January 27, 1930.

HON. RILEY J. WILSON,

President National Rivers and Harbors Congress,
Washington, D. C.

SIR: Under a special rule, the Cramton bill (H. R. 26) is to be considered by the House of Representatives on January 30.

The fundamental purpose of this bill—which is to provide in and adjacent to the city of Washington a series of parks and playgrounds befitting the Capital of a great Nation—has our thorough approval. But we desire to enter an emphatic protest against the enactment at this time of that portion of the bill (lines 16 to 19, p. 2) which would make impossible the development of either navigation or power on the Potomac River.

To the question of power, much study has been given. Nine years ago a report, commonly called the Tyler report, which was made after an exhaustive investigation of the possibilities, declared that hydro-electric development at Great Falls, and in the adjacent territory along the Potomac, is feasible, whether developed by the Government or by a commercial concern. Three applications for water-power development on the upper Potomac are now pending before the Federal Power Commission.

Some two years ago the House passed a resolution which prohibits the Federal Power Commission from acting on any application for power development at Great Falls until the commission shall submit a complete and up-to-date report on the relation of such development to the Potomac-Great Falls Parkway proposed in the Cramton bill. That report has not yet been submitted to Congress, although it probably will be in the near future.

The first attempt to connect the Potomac and Ohio Rivers was made by a company of which George Washington was the president. The remains of a lock built by that company are still visible at Great Falls. The Chesapeake and Ohio Canal, begun in 1828, was finished to Cumberland, Md., in 1851 and was long employed in carrying coal to Washington. Since its practical destruction by a flood a few years ago little has been said regarding navigation in the Potomac Valley.

Congress has authorized surveys of more than 200 rivers, the Potomac being one, in order to determine how far they may be used for navigation, power, irrigation, or flood control. A preliminary survey of the Potomac, made at a cost of \$30,000, showed the strong probability that a combined development could be made which would provide a channel 12 or 14 feet deep up to Cumberland, an important amount of hydro-electric power, and a large degree of flood control.

Thereupon, a comprehensive survey of the Potomac and its tributaries—to include the feasibility of a canal to connect the Potomac and the Ohio—was ordered at an additional cost of \$150,000. That survey has been under way for several months, but will not be completed, and the report thereon submitted to Congress, until July of the present year.

The members of the National Capital Park and Planning Commission, with the exception of Maj. Gen. Edgar Jadwin, its chairman, favor devoting the Gorge and Great Falls of the Potomac, exclusively and permanently, to park purposes, deeming the development of power as comparatively unimportant and giving no consideration whatever to the possibilities of navigation.

The annual report of that commission publishes the report of the majority in full (pages 40-41) but contents itself with the simple statement that General Jadwin did not concur in the views of the commission and recorded a detailed statement in support of his views. The facts and arguments presented by General Jadwin are much too important to be ignored, and a copy of his minority report is, therefore, attached hereto and made a part hereof.

Congress undoubtedly has the authority to dedicate the Great Falls of the Potomac to park purposes, to the development of navigation or power, or to such combination thereof as shall be found feasible and desirable when all the facts are known. It seems to us, however, the reverse of wise statesmanship to order two elaborate and costly investigations of the subject and then to legislate thereon before those investigations have been completed and the results made available for study.

We earnestly request, therefore, that you will use your best efforts to defeat the Cramton bill, unless it shall be so amended that decision as to the disposition of the Gorge and Great Falls of the Potomac shall be deferred until that decision can be made in the light of all pertinent facts.

Very truly yours,

THE EXECUTIVE COMMITTEE,
JOS. E. RANDELL, *Chairman*,
ROY MILLER,
FRANK P. LEITCH,
JNO. H. SMALL,
S. A. THOMPSON, *Secretary*.

THE PROPOSED POTOMAC RIVER PARK

(Minority report of Maj. Gen. Edgar Jadwin, Chief of Engineers, U. S. Army, and Chairman National Capital Park and Planning Commission)

1. The National Capital Park and Planning Commission is organized by act of Congress as a planning commission as well as a park commission. The broad official representation and the varied technical and business representation are intended to assure broad, well-rounded planning and consideration of the interests of the District, its taxpayers, and of the Federal Government. There are enough data available now to consider the development at Great Falls as a whole. We should give due weight to every element which affects the best interests of national planning as well as the specific matters bearing on parks. Those other elements are the development of power, navigation, flood control, and other allied economic interests. The parks should fit into the scheme of the Nation and not the Nation in the scheme for parks. Large areas of ground should not now be bought and funds spent in developing them

as a park if they are to be flooded later to develop power and navigation on the river.

2. The potential value of a rational development of the power possibilities of the river is tangible and too great to be ignored in the determination of the present policy for the development of this reach of the Potomac.

The potential power of the Potomac was held by the Federal Power Commission in its review of the Tyler project to be "a national asset of incalculable value." Hydroelectric power is dependable. Since the water power is not subject to disturbances because of shortage of coal, labor, and transportation, as is steam power in times of stress, there would be assured the continuous functioning of activities essential to the normal operation of the National Capital when those commodities are at a premium.

Abundant power and cheap power will tend to create new markets, new wealth, and new taxes. Interconnections with other large power systems will be mutually advantageous in extending and interchanging the advantages of cheaper power in large quantities not only to the area adjacent to the Potomac but also to the middle Atlantic section. That one of the leading utility companies of the country wishes authority to develop the project is practical evidence that a market is in sight.

If the power plants at Great Falls are built by private companies, the annual taxes thereon, estimated to be over \$850,000, at 6 per cent, represent a capital value of over \$14,000,000.

The District engineer, Maj. Brehon B. Somervell, estimates the cost of power produced by such a hydro plant at approximately a million dollars per annum cheaper than equivalent steam-produced power. These savings capitalized at 6 per cent represent a capital value of \$15,000,000.

Not only will there be a capital saving by the cheaper generation of power but there will result a saving of fuel coal. Annually there should be consumed 500,000 tons. The ultimate depletion of the ground reserves of coal will be deferred by the noncombustion of this large annual decrement. The resulting undepleted reserves of coal have a present appreciable value and a future value probably so large that it is difficult to estimate.

3. The potentialities for navigation on the Potomac are great.

The intracoastal waterway is assured from Massachusetts to Florida. Soon insistent demands may be expected that its benefits be extended up the Potomac to Cumberland.

The canalization of the Ohio River assures 9-foot navigation from the coal fields of Pennsylvania and West Virginia on the Monongahela down the Ohio and Mississippi to New Orleans and a connection with world sea trade. Improvement of Mississippi tributaries is under way. A connection between the Potomac and the Monongahela will naturally follow, thus joining the vast Mississippi system to the intracoastal waterway by a waterway of adequate capacity along the route selected by the first President of the Republic.

The dams built for the development of power will then likewise be useful for navigation and will save some \$14,000,000 which would otherwise have to be spent for construction costs for that purpose.

The district engineer reports that conferences with the chief examiner of the Interstate Commerce Commission indicate a prospective annual saving of \$3,000,000 on a completed 12-foot project between Washington and Cumberland. This is based on present traffic and without allowance for the normal great future increase or that which can logically be expected to follow the construction of the connection with the Mississippi River system. The larger traffic which may be expected in the future will increase these savings. Better navigation and cheaper water rates would result with a series of high dams and deep pools than with low dams and narrow channels. Therefore the \$14,000,000 saving in the construction cost is not a full measure of the dual employment of the dams.

4. Other incidental advantages accrue from the placing of dams across the river. The reservoirs which afford the power development would reduce the cost of operating the purification system of the Washington water supply. The item for chemicals in the Budget for 1930 is \$70,000, and this will increase yearly. The district engineer estimates that due to the aid of the reservoirs created by the river dams, the bill for chemicals would be reduced three-quarters. This average annual amount represents a capital value of about \$1,000,000.

The protection of certain low areas in and around Washington would cost in the neighborhood of \$175,000. The local works for this purpose would not be entirely satisfactory and would interfere to some extent with the street and park system. So it does not appear feasible to protect all the threatened property by local works. If the flood damages were 5 per cent of the assessed valuation for a maximum possible flood, the protection afforded would be \$6,000,000. Studies indicate that the average annual flood damage below Great Falls over a long period of years will be about \$60,000. Capitalizing this amount at 6 per cent, the value of flood protection may be taken as at least \$1,000,000.

The toll bridges which are contemplated if the power project is not constructed would in the power project be provided on the top of the dams and thereby save about \$3,000,000.

5. A summation of the various potential values which would inure to the financial benefit of the people by rational development of Potomac River resources would be approximately \$48,000,000:

(a) Savings on production of hydro-power instead of steam power, capitalized on a 6 per cent basis at—	\$15,000,000
(b) Saving by elimination of two bridges—	3,000,000
(c) Savings in the form of income from taxes at the rate of 2 per cent, capitalized at—	14,000,000
(d) Savings which the power structures would produce if navigation should be extended up the Potomac River, amounting to—	14,000,000
(e) Savings on preliminary treatment of the Washington water supply, and estimated value of flood protection—	2,000,000
Total—	48,000,000

With the present population, about \$10,000,000 of the total savings would fall to the specific benefit of the residents and the government of the District of Columbia, and \$38,000,000 to the adjacent States and to the country at large.

The value due to the conservation of the coal, should, when more definitely determined, be added to the above \$48,000,000. The same is true of the increased net freight savings which will come from the navigation improvement and the growth of commerce.

6. Should the development be by the Government, the benefits from taxes on the private enterprise should, if the plant be properly managed and regulated, be replaced by a similar reduction in the total cost of generating the current.

7. This \$48,000,000 is equivalent, at 6 per cent, to about \$2,880,000 per year. This is too large an amount to be sacrificed without the most careful consideration. Let us see whether it is justified as an expenditure for parks in the District in addition to the amounts already spent and those otherwise in contemplation for park purposes.

8. It is important that Washington, the Capital of the Nation, should have an excellent system of parks. The existing park area and that planned by the commission for the National Capital region—that is, Washington and its environs—total some 21,532 acres. To this figure should be added about 7,500 acres for the smaller and local parks in the region outside the District of Columbia. This makes a total of 29,032 acres, or about 45 square miles, roughly equal to three-fourths of the total land area of the District of Columbia and about 10 per cent of the 288,000 acres affected in the District and its environs. In addition, the city has a relatively large mileage of wide streets lined with beautiful shade trees. This park system of the District is being carefully studied by the Planning Commission and is being continuously added to as found justified. It is a park system of which any city or any nation might be proud. The Valley of the Potomac should be included in the system. How shall its park resources be utilized?

Shall a park of the low-level type be developed at the sacrifice of over \$48,000,000, plus the cost of low-lying land and its development? Or can a plan be devised that will save this sum to the taxpayer without sacrificing park values? To assist in determining this a special joint committee was appointed by the executive officer of the Planning Commission and the District engineer of the War Department. The plan, known as scheme C, proposed in the report of this special joint committee, contemplates a high-level park development of an area equal to that in the low-level park, with two lakes substituted for the lowest, most ragged part of the flood plain. These parks contain more recreational features than the parks without these lakes. The major scenic feature of the gorge, the Black Pond area, and Difficult Run are common to both developments. The remainder of the low-level park is a park around four small lakes separated by rapids, while the remainder of the high level is based on two large lakes separated by rapids.

* With the latter plan, the spectacle at Great Falls and in the gorge below them will be maintained in comparable but modified form. The regulation to be secured from the upper storage reservoirs would assure an amount of water to pass over the rocks of the falls sufficient to produce scenic effects comparable with those which would exist with flows in the river in its present condition. At the time of flood flow, less flow will pass over the falls. In dry periods more water would pass over the falls, due to the regularization of the flow from storage.

The low-level park is costly to improve as a park, costly to maintain on account of the floods that would ravage it from time to time, and would probably afford less real recreation and enjoyment to the public than would the delightful boating waters and wooded shores incident to the high-level park.

9. Consideration must be given to the general interests of the District and the country as well as to parks for the District. It is not sound to ignore the financial situation of the Federal Government and that of the District of Columbia where expenditures are double and where funds raised through local taxation have trebled during the last 10 years, nor to disregard the rights and interests of Maryland, Virginia, West Virginia, Pennsylvania, and other States in the power resources of the Potomac River and the navigation possibilities of the Potomac as a feeder to the intracoastal waterway and as a connection from that system to the Mississippi Valley system.

10. To summarize, comprehensive planning for the National Capital demands that all major elements of the situation be considered. The decision lies between a park prodigal of the latent resources of the Potomac and an equally good park conserving these resources. Combined park and power development is feasible, and the waste of more than \$48,000,000 of potential values for debatable minor scenic consideration is neither necessary, desirable, nor sound.

EDGAR JADWIN,

Major General, Chief of Engineers, Chairman.

WASHINGTON D. C., August 2, 1929.

DEATH OF COL. I. M. ULLMAN

Mr. TILSON. Mr. Speaker, I have just heard, with very deep sorrow, of the death in my home city of New Haven of one of the strong, able, and influential men of my State, Col. I. M. Ullman, a man who through many years has given very largely of himself and of his means for the betterment and upbuilding of his home city and its people. I have just issued a very brief statement to the papers in appreciation of Colonel Ullman, and now ask unanimous consent that I may extend this brief statement in the CONGRESSIONAL RECORD as a part of these remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The statement referred to follows:

The sudden death of Col. I. M. Ullman, when his condition seemed to be gradually improving, is a great shock. For more than 30 years Colonel Ullman has influenced to a greater extent than any other man the political and civic affairs of New Haven, and his death is an irreparable loss to the city.

By sheer force of character and unselfish devotion to the city of his birth he achieved great power, and he used it in the interest of the city and the people who lived in it. He devoted much of time and vital energy to politics, but always used the power thus gained for the public good. After more than a quarter of a century of political leadership no one dare say that Colonel Ullman ever made a personal profit, either directly or indirectly, out of his political activity. After an intimate friendship, both political and personal, of 30 years I can say that I never found any motive for his political interest except an honest and sincere desire to serve his community, his State, and his country.

Colonel Ullman was not interested in politics alone. He was interested in every cause for civic betterment and every worthy charity. Everyone knew him as a political leader, but few, except those very close to him, knew the extent of his personal contributions in money and time to charitable causes. In his devotion to this work he drew no line between Jew and Gentile or Catholic and Protestant. He started and for a time bore the principal burden in carrying on the community chest. He headed the New Haven Hospital, and more than any other one man made that institution the great hospital it is to-day. He was the first to make the New Haven Chamber of Commerce a real force for civic betterment rather than a mere selfish organization of business men for mutual advantage.

By the death of Colonel Ullman I lose a friend who stood by me through thick and thin since I entered public life. He was loyal to me, and I should have been worse than an ingrate had I not been equally loyal to him. He was true to me while he lived, and I shall be loyal to his memory now that he has gone. At some stages in my political career I might have improved my political fortunes by surrendering this friendship, but there was never a thought of wavering. I am more than glad that our mutual friendship and loyalty endured to the very end.

STATE, JUSTICE, COMMERCE, AND LABOR DEPARTMENTS APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8960) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8960, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. SHREVE. Mr. Chairman, I yield 20 minutes to the Commissioner from Porto Rico [Mr. DAVILA].

Mr. DAVILA. Mr. Chairman, at the beginning of my remarks I ask that the Clerk read in my time a communication received by Gen. F. LeJ. Parker, Chief of the Bureau of Insular Affairs, from Col. Theodore Roosevelt, Governor of Porto Rico.

The Clerk read as follows:

GOVERNMENT HOUSE, PORTO RICO,

San Juan, P. R., January 17, 1930.

Brig. Gen. F. LeJ. PARKER,

Chief, Bureau of Insular Affairs, War Department,

Washington, D. C.

DEAR GENERAL PARKER: I cabled you to-day on the sugar tariff. My cable was in no way an exaggeration of existing conditions. If the tariff on raw sugar is not raised, Porto Rico is going to be in desperate case. Roughly speaking, our situation is as follows:

There are four large foreign-owned sugar corporations, which produce each year 385,000 tons of sugar. That represents about 50 per cent of our production. The balance consists of the combined production of a number of smaller mills, the largest of which turns out 31,000 tons. We have made a careful survey of these smaller mills with reference to their financial situation. We have consulted with well-known bankers on the matter. Doctor Chardon and Mr. Domenech have studied personally their individual and general conditions. Our opinion now is that of these smaller mills, 31 will go into the hands of receivers in July next if the tariff on raw sugar is not raised. These 31 mills are divided as follows: Four are financed with foreign capital, 27 are Porto Rican concerns owned by Porto Ricans.

To phrase it differently, it is our belief now, based on careful investigation, that every Porto Rican-owned mill will be put into the hands of a receiver by next July unless the House stands firm and the tariff on raw sugar is raised.

The condition outlined above has been brought about by a series of misfortunes, among which the cyclone holds a prominent place. None of the mills made money last year. All lost money. As a result, all have had to draw on their capital in order to operate. The small mills have small capital, and it is exhausted. Every last one of them is heavily mortgaged.

In reciting the above condition it is hardly necessary to amplify on what the effect would be of such a catastrophe. You know what the situation of our banks is. If these 31 mills failed, I think it is almost certain that bank failures would follow in their train. Should our credit system, which is in such a precarious position, receive a blow of this sort, it is difficult to know how far the consequences would go. About 25,000 of our laborers who are now getting the scanty pay that meagerly supports them from these mills would be out of work. There is nowhere else they could turn for aid.

We have four principal agricultural crops on the island—sugar, tobacco, fruit, and coffee. The cyclone ruined our coffee. This year our crop will be negligible. Heavy rains have damaged our tobacco crop by 30 per cent, in the opinion of our department of agriculture.

Therefore the failure to pass an increased tariff on raw sugar would at this time spell disaster for our rehabilitation plans for the island of Porto Rico.

Would you mind giving a copy of this letter to Don FELIX CORDOVA DAVILA?

Yours very sincerely,

THEODORE ROOSEVELT.

Mr. DAVILA. Mr. Chairman, the situation pictured in the governor's letter is by no means exaggerated. We are facing the most difficult crisis of our history. We are very much in need of assistance to carry out effectively the rehabilitation of the island. I have frequently heard the argument that an increase in the tariff on sugar will produce an economic destruction in Cuba which would be resented in other Latin-American countries. Great importance has been given to this argument by the opponents of an increase in the duty on sugar.

It has been said at the other end of the Capitol that to disrupt the economic welfare of Cuba would inevitably create a feeling throughout the other Latin-American countries against the United States, because they would contend that this country has not treated Cuba fairly in this respect.

We contend that the failure of Congress to increase the tariff on sugar will mean disaster for the Porto Rican producer and will disrupt the economic welfare of the island. I do not believe that a reasonable raise in the duty on sugar will produce an economic upheaval in Cuba, but even assuming for the sake of the argument that this may be true, I want to call your attention to the fact that Porto Rico is also a Latin-American community and in addition, an integral part of the American family.

If by raising the tariff on sugar an economic crisis is created in Cuba and animosity against the United States is felt throughout Latin America, what would be the effect produced in these same countries when they hear of the economic calamity which will inevitably face us by the refusal of Congress to grant a reasonable increase on this product?

Being of Latin-American origin, both countries enjoy the friendship and have the good will of the Republics to the south of us, but I feel that the 1,500,000 American citizens of Porto Rico should be entitled to more attention and consideration by

the United States than the citizens of any foreign country. This is well known by the Latin-American Republics. They are aware of the fact that the United States has the solemn duty to look after the welfare of Porto Rico, it being a part of the Nation, and a policy of discrimination in favor of Cuba and against Porto Rico, certainly will not receive the approval of these countries.

I venture to say that if in its dealings with both countries the United States should show partiality in favor of Cuba to the detriment of Porto Rico, such a policy, far from creating a feeling of good will toward this country, would produce the opposite effect. They would never be able to understand how the United States can be more generous and considerate to a member of the Latin-American family foreign to this country than to another member of the same family now forming a part of the United States and dependent on it for its political life and future prosperity.

I have the most friendly feeling toward the Cuban people, I wish them prosperity and happiness, but I can not go the limit of favoring one of their industries at the expense of the interests of the Porto Rican people. It is my opinion, however, that a reasonable increase in the duty on sugar will not work a hardship on the Cuban sugar industry. Cuba is protected by a 20 per cent tariff preferential. She will always supply the deficiency on the part of the United States production by reason of this preferential. The reciprocity treaty has given to Cuban sugar such an advantage over sugar from other exporting countries as practically to eliminate the importation into the United States of sugar from countries other than Cuba.

It has been argued by the opponents of an increase in the tariff on this product that this increase will be a burden on American consumers. If that is true, I can not see how the Cuban industry can be injured when she does not pay the increase.

I hope that Governor Roosevelt's letter will convince Congress of the gravity of our situation and that some action be taken to avoid the catastrophe which he mentions. The ruin of Porto Rico's agriculture means the ruin of Porto Rico. The ruin of the sugar industry of Porto Rico means the ruin of Porto Rico. The ruin of the sugar industry in Porto Rico means increased prosperity for Cuba, and with that will come increased prices without the brake that is now afforded by Porto Rican sugar production. Even if you arrive at the conclusion, which appears to be untenable, that an adequate increase in the duty on sugar will create an economic crisis in Cuba, you will have to choose between Cuba and Porto Rico, and in my opinion there should be no hesitancy on the part of Congress as to which of the two countries should be chosen. [Applause.]

Mr. COLE. Will the gentleman yield?

Mr. DAVILA. With pleasure.

Mr. COLE. How much of a tariff is deemed necessary to protect the sugar industry of Porto Rico—how much of an increase?

Mr. DAVILA. As you know, the \$2.20 on Cuban sugar, as recommended by the Senate Committee on Finance, was defeated. That is the reason of asking for an adequate increase.

Mr. COLE. How about a \$2 tariff?

Mr. DAVILA. A \$2 tariff will not be enough, but if passed by Congress it will be welcomed by us.

Mr. HOOPER. Will the gentleman yield?

Mr. DAVILA. Yes.

Mr. HOOPER. The raising of coffee is now the second industry in the island, but has been first in the past, has it not?

Mr. DAVILA. In the past it was first; but, now, I believe the industries are in this order: Sugar, tobacco, coffee, and fruits.

Mr. HOOPER. The question I want to ask the gentleman is this: How long, in the gentleman's judgment, will it be before the destruction caused by the hurricane to the coffee plantations in the island will be so remedied that they will be able again to produce the crops of coffee they have been producing in the past?

Mr. DAVILA. It will take from four to five years.

Mr. HOOPER. And that, combined with the sugar situation, has brought about a very depressed economic condition in the island?

Mr. DAVILA. A very depressed economic condition in Porto Rico; and I will say to the gentleman that we are now facing the most difficult crisis in the history of our island.

Mr. OLIVER of Alabama. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. Celler].

Mr. CELLER. Mr. Chairman and gentlemen of the committee, I was rather startled this morning to read a copy of a letter that was issued by the Attorney General, wherein he lays down some rather startling standards by which officials

subsequently to be appointed in his department shall be judged. He says he is not going to appoint a United States attorney or an assistant United States attorney or marshals, bailiffs, or clerks unless and until their personal habits are examined and gone into thoroughly, and that he is going to set in motion a sort of inquisition to determine whether or not a marshal, a bailiff, or clerk or United States attorney at any time takes a drink; that he is going to examine into the innermost recesses of the minds of those appointees to determine whether or not their attitude is strictly prohibition. Well, I wonder how far the Attorney General is going to get with that kind of a proposition? I should like to ask him whether he is going to direct that inquiry not only to the United States attorneys who are now in office but whether he is going to direct that inquiry to the officials of the Treasury Department, from the Secretary of the Treasury down? Whether he is going to direct that inquiry to all the sitting judges in the Federal districts, because all those gentlemen have something to do with the enforcement of prohibition. I would even challenge him to direct that inquiry to the United States Supreme Court judges. I do not know anything about their personal habits, but I venture the assertion that when men get as old as some of the distinguished jurists of that the greatest court that ever was, they are entitled to take a nip once in a while.

Some of the members of the Wickersham commission might very well have that inquiry addressed to them. I believe that the former Secretary of War, Newton D. Baker, a member of that commission, was opposed to the constitutional amendment and the Volstead Act. In any event his chief, the late lamented President Wilson, vetoed the Volstead Act. Even Wilson would be disqualified by the Mitchell standard.

Just because Mr. Baker may have been opposed to the prohibitory statute, shall that debar him from deliberation on this commission? What about Dean Pound? Let him examine Mr. Pound, that very well-known, wise, far-seeing, astute liberal. I am sure he will find his attitude, being a liberal, is somewhat antiprohibition. Is he going to be debarred from deliberation on this commission because of his opinions?

Take George W. Wickersham, Judge Grubb, Judge McCormick, and other members of the august commission now considering the "noble" prohibition act. I know nothing of their personal habits. I care nothing about them, no more than I care about their religious views. Yet I venture the assertion that it might be embarrassing to stretch these gentlemen across Mitchell's Procrustean dry bed. What a torture it would be if all the Members of Congress and Senate were made to pass the test. Even Governor Smith, according to the standard laid down by this man Mitchell, could not be a bailiff in the United States district court in my own district. And what about Governor Ritchie, as fine a governor as ever graced the gubernatorial chair of any State? He would be hors de combat. And how about the late lamented President Harding? He would be absolutely taboo, according to the dictates and the fiat that comes to us this morning from the United States Attorney General.

And, startling to relate, the disposition of permits under the Volstead Act, under the bill that has been introduced, is to be under the control of the Secretary of the Treasury. Therefore he plays a somewhat important part in the enforcement of prohibition. He would be debarred.

I could give you a list of very eminent gentlemen who likewise would be under the ban of the United States Attorney General because of this opinion he has rendered this morning.

Furthermore, this opinion is only a beau geste. It means nothing from a practical standpoint. Enforcement will become no better. The fellows who want the jobs and who drink, will lie and deceive Mitchell. They will tell him they are "dry," although they may be "wet." That is quite simple. Only by a pernicious system of spying could he discover the truth. Good men who drink would not apply. The result will be that hypocrites will fill the jobs of marshals, bailiffs, clerks, attendants. Only pious Pecksniffs, hereafter, will become United States attorneys and assistants.

Mr. OLIVER of Alabama. Mr. Chairman, I yield 30 minutes to myself.

Mr. Chairman and gentlemen of the committee, parts of two days or more have been consumed in a general discussion of this bill and other unrelated matters of public importance. I do not think the time has been mispent. Many of the speeches that have been delivered, not relevant to the bill, deserve the careful study and consideration of the House. They relate to the Veterans' Bureau, to the Alaskan fisheries, to the Philippines, to alleged encroachments by Federal courts on State public service commissions pertaining to intrastate matters, to the merchant marine legislation, and other matters of equal importance.

The speeches delivered on the pending bill by members of the subcommittee of which I am a member, I am sure, have also been heard with like interest and profit by the membership.

The gentleman from Pennsylvania [Mr. SHREVE] gave a very comprehensive picture of the activities of the four departments appropriated for in the pending bill and set forth the accomplishments and needs of each; the gentleman from New York [Mr. GRIFFIN] called attention, in a forceful way, to the State Department and some of its important activities abroad. The gentleman from New Jersey [Mr. ACKERMAN] emphasized the importance to American business men of the work now being done by the Bureau of Foreign and Domestic Commerce.

It is interesting to note in connection with these appropriations that they total \$113,799,286.14. The receipts from these four departments of the Government paid into the Federal Treasury during the past fiscal year amount to \$36,912,762.36, making the net expense to the Government for carrying on the widely varying, extensive, and important work of these four departments \$76,000,000 plus.

Hopes are entertained that the result of the conference at London may result in an annual saving equal to, if not greater than, the total amount required for the work of these four departments.

Only one of these departments for the past several years has failed to submit what the committee felt was a fairly thorough and comprehensive report of its activities and needs. The committee, I regret to say, has several times felt dissatisfied with the report from the Department of Labor, and the information furnished as to some of its field activities and problems were not sufficiently definite to always give an accurate picture of its needs and accomplishments. Its personnel are most loyal and measure up to as high standards of efficiency as are found in any department.

I have made this statement in the hope that the distinguished head of this department will submit to the committee in person, when we meet in the fall, a comprehensive study and report of what that department has accomplished and what its needs are. I have not been unsympathetic to the Secretary's recommendation for legislation working to a registration of aliens, and a more careful selection of those to be hereafter admitted, so that they will better fit into our economic life; and this in part prompts my suggestion for a personal report of the department's activities under existing law.

In reference to the Department of Justice, to which I shall devote my remaining remarks, this department's importance can not be overemphasized, because however important the legislative branch of the Government is, and it is supremely important, however important the administrative branch of the Government is, and it is likewise supremely important, yet the efforts of both must in a measure fail unless the Department of Justice discharges its responsibilities and duties in a thoroughly efficient way.

Its work must be performed so as to command the respect and confidence of our people, because our courts in an impartial and impersonal interpretation and enforcement of all laws constitutes the real bulwark for the safety and protection of all. The Department of Justice, with an Attorney General as its head, with the powers and duties defined, was really organized in 1870 and started with a small appropriation and a small personnel. Its personnel in 1870 numbered 2,500, which included all judges, district attorneys, clerks, marshals, clerical and other employees, and the appropriation was \$1,813,100. In 1900 its personnel had increased to 3,500 and its appropriation to \$7,990,000. In 1930 its personnel numbered 5,906 and the appropriations for 1930 were \$28,866,000 plus. The department is fortunate in having at its head at this time a lawyer of outstanding ability without political aspirations.

It is important that a great department like this should be presided over by a lawyer of recognized ability, high character, courage, and industry, and I regret to find a Member of the House to-day criticizing a letter recently written by the Attorney General, in which he undertakes to define what he thinks should be qualifications to be considered in determining appointments in the judicial department. I do not believe there are any Members of this House, other than the gentleman from New York [Mr. CELLER], who has just spoken, who will take issue with the Attorney General as to the propriety of fixing such qualifications for appointment to positions in the department as are set out in the letter of the Attorney General, to which reference has been made. I will later ask permission to set out the letter as a part of my remarks.

As I read the letter it simply undertakes to fix as the qualifications for appointment in this department ability, integrity, and right aptitude of mind in reference to existing laws. Certainly

our courts and every other agency of the Department of Justice, if they are to command and receive the respect and confidence of our people, must be administered by persons qualified from ability, character, and by a right attitude toward law observance and law enforcement.

It is not for those who serve that department to inquire what the law ought to be; they should be interested only in finding what the law is and what it is right to do under the law. Those holding commissions in that department should feel and understand that their conduct in and out of office must be such as to command the confidence and the respect of the American people for law enforcement and law observance.

I feel that the Attorney General has rendered a distinct service to our people and to the cause of law and order by writing that letter.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. OLIVER of Alabama. Let me finish this.

Until we Members of Congress let the people of the Nation understand that we uphold and approve the announced purpose and determination of the Attorney General of the United States to recommend for appointment only those qualified by ability, character, and a right mental attitude in reference to existing laws we will not have discharged our duty to the fullest measure in upholding the Constitution and the laws enacted pursuant thereto. Now, I yield to the gentleman from New York.

Mr. LAGUARDIA. I would suggest that what the gentleman says is applicable to every branch of the Government.

Mr. OLIVER of Alabama. No question about that, but here is a distinguished lawyer who recognizes that he has duties to perform only in reference to one department, and like a good lawyer he does not undertake to discuss matters irrelevant and immaterial, and over which he has no jurisdiction. I am in hearty accord with you that in so far as the qualifications he outlines may affect the performance of duty in any Government position, that that test should be applied, and I am glad to learn by implication, at least, from the gentleman's question that he favors its being extended to all Government positions.

Mr. LAGUARDIA. And to the legislative branch also?

Mr. OLIVER of Alabama. Certainly. We make no exception when we come to lay down a rule of conduct which those who are sworn to administer the law should measure up to. But the Attorney General was speaking, of course, in reference to matters over which he had authority, and, as I said before, like a good lawyer he confined his statement to only what he had the right and duty to speak of.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. CELLER. Mr. Chairman, I have the greatest respect for the gentleman's opinion on this matter, and I even hesitate in the slightest degree to ruffle him with any sort of a question; but in so far as my opinion has been put at issue, I ask the gentleman whether he would apply that test also to the sitting judges? I am sure there are many sitting judges who occasionally imbibe some liquor. Would the gentleman say that habit of imbibing is good behavior? Would it disqualify them?

Mr. OLIVER of Alabama. I am very glad to say that I have already answered the question in the colloquy that I had with the gentleman's colleague from New York [Mr. LAGUARDIA], and I was delighted to learn that he gave full approval to the opinions that I expressed, though his views may differ from mine about many matters. In so far as undertaking to apply a general rule and prolonging the discussion to make it apply to individual cases, it could serve no useful purpose. If the gentleman will read my answer in reply to the query of the gentleman from New York [Mr. LAGUARDIA] he will find that I have answered him most completely.

Mr. OLIVER of New York. Mr. Chairman, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. OLIVER of New York. I quite agree with the gentleman's view. I remember we had a law in the State of New York, and I was one of those who was called upon to enforce it as a district attorney. It was a very difficult thing seeing a juror trying to smile up at you and feel that you would kind of smile back at him in those cases. The element of sincerity was lacking. We did not believe in the law, and the result was it could not be enforced.

Mr. OLIVER of Alabama. I am glad to number the gentleman from New York with those giving approval to the Attorney General's letter; and as pertinent to the jury reference, permit me to say I was pleased to read recently that a New York judge interrogated the jury panel as to their attitude in reference to certain existing laws. Where they were found to be such as would provoke a smile under the conditions the gentleman has indicated, the judge held that they were not competent to serve

as jurors. I think we at least are making progress along the lines that all seem now to give approval to, whether the test is applied to those in public office or serving on juries.

Mr. OLIVER of New York. Yes, I believe the whole test of it is the sincerity of Government officials. If they are hypocrites about it, I do not think they can get anywhere. I think that this will bring it to a very sincere test, when we find that the Government intends to be sincere. My own opinion is that the Government will fail, but that has nothing to do with my approval of the effort at sincerity.

Mr. OLIVER of Alabama. It has the approval seemingly of every Member of the House, and, in saying this, I refer to this effort of the Attorney General to carefully elicit all facts in connection with those who seek appointment in the Judicial Department, and only where he finds that they measure up to the high standards which we as Members of Congress give approval to as laid down by him in his letter will he recommend them for appointment. [Applause.] Let us hope that the head of the Government was not misquoted by the Attorney General when he read into a speech which he made to the American Bar Association this statement:

The President, in speaking of his responsibility as to appointments, said, "It is that he shall to his utmost capacity appoint men to public office who will execute the laws of the United States with integrity and without fear, favor, or political collusion."

The appointive responsibility rests with the President and with the heads of Government departments and I hope that all will observe the same high standards that the Attorney General has indicated will govern him in all appointments high or low, connected with the Department of Justice. [Applause.]

Mr. Chairman, you shall have gone far to solve many of the serious problems that to-day confront us, if you can let the American people understand and know that those charged with the duty of making the laws, those charged with the duty of administering the laws, and those charged with the duty of interpreting and enforcing the laws, from high to low, must measure up to the standards outlined in the letter which the gentleman from New York [Mr. Celler] saw fit to criticize at one time, and afterwards, as I understand, I am glad to say, modified perhaps his views.

Mr. Celler. Will the gentleman yield? I have not modified my views one iota.

Mr. OLIVER of Alabama. So then, as far as I now understand, the gentleman from New York [Mr. Celler] stands as the sole Member of the House who gives voice to any criticism of the Attorney General's letter. I am glad to say that his associates who differ just as widely as he does from me, recognize as lawyers—I do not know whether the gentleman who spoke is a lawyer or not, but the other two are—that the ethics of our profession require approval of a standard for official appointments such as the Attorney General has outlined, and which I was glad to see met with hearty response and approval from the American Bar Association, when he quoted an excerpt to the same effect from a statement by the Chief Executive.

Nothing is truer than that every lawyer is a sworn minister of justice. I think it was Webster who said:

Justice is the great interest of man on earth, it is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands, and as long as it is honored, there is a foundation for social security, general happiness, and the improvement and progress of our race.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield there?

Mr. OLIVER of Alabama. Yes.

Mr. LINTHICUM. In view of the gentleman's absolute approval of the Attorney General's recommendation, does not the gentleman think the House made a great mistake the other day when it turned down the amendment of the gentleman from Maryland [Mr. Palmisano], which provided that no one who had been convicted of a felony should be employed by the Prohibition Unit? That was turned down by a vote of 82 to 28.

Mr. OLIVER of Alabama. If the gentleman will permit me, in a perfectly respectful way, to answer, I will say that if he will talk over the table with Members of this body as to amendments of this character, he will recognize that amendments are sometimes offered, not in the hope that they will pass, and speeches are sometimes made, not in the hope that they will be taken seriously; and that therefore amendments and speeches sometimes really do not express to a large majority of the House sincerity and good faith, and that may explain the action

which the gentleman has suggested was taken by the House. [Applause.]

So long as we can feel and understand that the House gives approval to the letter written by the head of an important Government department outlining just exactly what the amendment the gentleman has referred to would have required, I think we are not failing in our duty to the public in not giving too serious attention to a matter such as the gentleman relates. [Applause.]

Mr. LINTHICUM. The gentleman seems to assume for his own purpose that the amendment offered by the gentleman from Maryland was not sincere and not intended to pass. In that the gentleman is absolutely incorrect. The gentleman from Maryland [Mr. Palmisano] had in mind an officer in his district who was convicted of a felony and afterward employed by the enforcement bureau.

Mr. OLIVER of Alabama. I will talk frankly with the gentleman on or off the floor, if anyone questions the sincerity of my statement, and if the gentleman asks me to make it plainer I will make it plainer to him. I have the utmost respect for the opinions of those who differ from me on any question, and never yet have I called in question an honest conviction entertained by a colleague; but I feel that the gentleman—with his long legislative experience—with his knowledge of what transpires in cloakrooms and in private conversations among Members of this House oftentimes in reference to matters occurring on the floor, must agree that I did not incorrectly interpret why the House often takes action such as he has referred to.

It is not my purpose, Mr. Chairman and members of the committee, to take more of your time. I did want at least to take this opportunity, when the head of a great department for which we are now appropriating many millions is subjected to a bitter criticism, to say that it should at least be understood by the American people that we are providing for this great department the funds it will require in the firm belief that under the direction of the present Attorney General its responsibilities will be discharged with signal fidelity and ability. I question whether Congress can point to any more constructive suggestions than the present Attorney General has submitted to it for consideration—and they are only suggestions. The Attorney General does not give legal opinions to Congress; he can only give legal opinions to the heads of executive departments, but he has submitted some recommendations to the committees of the House and in a perfectly frank way has discussed his reasons therefor.

Mr. LINTHICUM. The gentleman from Alabama has not, however, answered my question.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. I yield myself five additional minutes.

The House Judiciary Committee reported favorably several bills embodying constructive recommendations of the Attorney General for his department, and the House by a large vote passed the bills a few days since. These bills were important and far-reaching. They related largely to prison reforms. There is no man or woman in America who will not be interested in reading the hearings before the Judiciary Committee. Other important recommendations of the Attorney General are now before certain committees of the House and the House will probably later be given an opportunity to consider these. What action will be taken is as yet undetermined. But I submit that all of his recommendations are constructive and show careful thought and study. I am frank to say that they commend themselves very favorably to me. [Applause.]

Mr. Chairman, I ask unanimous consent to insert as a part of my remarks the letter of the Attorney General to which I have made frequent reference in my speech.

The CHAIRMAN. Is there objection? The Chair hears none.

DEPARTMENT OF JUSTICE,

January 27, 1930.

MY DEAR ———: I have your letter of January 15 calling attention to the fact that a special agent of this department has been making inquiries from you about candidates for the post of United States marshal in ———, and that in so doing he made inquiries as to whether a candidate was in the habit of using liquor and as to his views about the eighteenth amendment and the Volstead Act. I am grateful to you for giving my representative an interview and such information as you had concerning the applicant. I have to depend very largely upon the members of the bar around the country for accurate information as to the qualifications of men for all classes of posts under this department, and it is very helpful when I have the opinion of members of the bar whom I know and in whom I have confidence.

The inquiries made by our agents about the habits of candidates as to the use of liquor and their views on prohibition are made at my direction. My purpose is to obtain all the information that is available about any candidate which bears on his qualifications for the post and his probable efficiency, and helps me to form an opinion as to whether he will be an efficient and satisfactory public officer. All facts which bear on these matters are pertinent. United States attorneys, assistant United States attorneys, and United States marshals have directly to do with the enforcement of the national prohibition act and the prosecution of cases under it. So far as the personal use of liquor is concerned, I do not believe that any of the men in these posts should drink under any circumstances.

Stocks of pre-war liquor are a negligible quantity, so far as general consumption is concerned. It is quite generally understood now that this is so, and that with few exceptions liquor that is served is illegally manufactured or imported. If a United States marshal or other official who has to do with the national prohibition act is observed to have a supply of liquor and use it, it is generally assumed that it is obtained from illicit sources, and I do not think that either wets or dries have much respect for a man who participates as a public official in the prosecution of bootleggers and patronizes them for a personal supply of liquor.

With respect to the views of a candidate on prohibition, that is also an important matter bearing on the probable efficiency of the candidate in the prosecution of prohibition cases. No head of any administrative organization would think it wise to assign to a particular task a man who does not believe in what is being done, has no heart in it, and whose activities are constantly hampered by a strong distaste for and disapproval of the work he has to do. While a United States marshal may have less to do with the actual prosecution of prohibition cases than do the United States attorneys and their assistants, he does have a direct relation to the work. He has custody of seized liquors. He is an official of the court and is constantly in touch with jurymen, witnesses, and others interested in these cases. If you have had considerable trial experience, you no doubt have realized what an important influence court attachés such as marshals, bailiffs, and clerks have on the atmosphere of a courthouse during a term of court. If the public officials who are charged with duties in relation to the enforcement of the national prohibition act are known by bootleggers, witnesses, and jurymen to use liquor themselves, with the probability that they are patronizing the illicit traffic in liquors, or their disagreement with prohibition is such that it becomes known or the subject of expression by them or others, it has a demoralizing effect on the whole machinery of law enforcement.

Out of some eighty thousand criminal cases begun in the Federal courts during the last fiscal year, more than half were cases under the national prohibition act. We do not want fanatics or zealots engaged in prosecuting these cases, but as a mere administrative matter it is quite obvious to me that efficient, thorough, and diligent work can not be expected of those who patronize illicit traffic in liquors and have definite and decided opposition to the whole principle of prohibition and make it known. I feel, therefore, that it is my duty in passing upon the qualifications of candidates for these posts to know what their habits are and what their attitude is toward prohibition, and that I could not safely reach a conclusion about their qualifications without knowing these facts.

I have not made any hard and fast rule on the subject, and there are many matters respecting a man's ability and personal qualifications that have to be considered, but I believe that no man who makes a practice of drinking intoxicating liquor or who has definite or pronounced views in opposition to prohibition belongs, during this administration, in any post having directly to do with the prosecution of cases under the national prohibition act. It seems to me that such men had better seek positions in some other branch of the Government or a private occupation. I have not made any blare of trumpets about this matter, but I am not at all reluctant to have it known among those in the service of this department that the habitual use of liquor and opposition to prohibition are very definite handicaps to appointment or reappointment in this service.

I can not see any analogy between applying a religious test as a qualification for public office and the matter of making inquiries as to the personal habits and attitude toward prohibition on the part of candidates for posts having directly to do with the enforcement of the national prohibition act. In the one case a man's religious views have no bearing one way or another on any public activity that he may be required to engage in as a public officer, but in dealing with candidates for United States attorneys and marshals their personal habits in the matter of the use of liquor and their attitude toward prohibition have a direct and undeniable bearing on their efficiency in the performance of their duties.

I am very glad to have you write me on this subject, as I do not want my attitude misunderstood, and I hope after this statement you will agree with me that an administrative officer charged with the duty of selecting men to prosecute cases under the national prohibition act should have accurate information about their personal habits and their

opinions on this subject, to be considered along with information respecting their other qualifications.

With best wishes, very truly yours,

WILLIAM D. MITCHELL,
Attorney General.

Mr. SHREVE. Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

FOREIGN INTERCOURSE—AMBASSADORS AND MINISTERS

Ambassadors extraordinary and plenipotentiary to Argentina, Brazil, Chile, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Spain, and Turkey, at \$17,500 each, \$227,500.

Mr. SHREVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHREVE: On page 6, line 5, after the word "Peru," insert the word "Poland."

Line 6, strike out the figures "\$227,500" and insert in lieu thereof the figures "\$245,000."

Mr. SHREVE. Mr. Chairman, just a word. The members of the committee will recall that on January 22, 1930, we passed an act providing for an ambassador at Poland, and this amendment is necessary to conform to that act.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Clerk read as follows:

Envoys extraordinary and ministers plenipotentiary to China and the Netherlands, at \$12,000 each, \$24,000.

Envoys extraordinary and ministers plenipotentiary to Albania, Austria, Bolivia, Bulgaria, Czechoslovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Irish Free State, Nicaragua, Norway, Panama, Paraguay, Persia, Poland, Portugal, Rumania, Salvador, Siam, Sweden, Switzerland, Uruguay, and Venezuela, at \$10,000 each; to the Serbs, Croats and Slovenes, \$10,000; and to Estonia, Latvia, and Lithuania, \$10,000; in all, \$350,000.

Mr. SHREVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHREVE: Page 6, line 17, strike out the word "Poland" after the word "Persia."

Line 21, strike out the figures "\$350,000," and insert the figures "\$340,000."

The amendment was agreed to.

The Clerk read as follows:

Total, ambassadors and ministers, \$631,500.

Mr. SHREVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHREVE: On page 7, line 4, strike out the figures "\$631,500," and insert in lieu thereof the figures "\$639,000."

The amendment was agreed to.

The Clerk read as follows:

CONTINGENT EXPENSES, FOREIGN MISSIONS

To enable the President to provide at the public expense all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, including annual ground rent of the embassy at Tokyo, Japan, for the year ending March 15, 1931, repairs including minor alterations, repairs, supervision, preservation, and maintenance of Government-owned diplomatic properties in foreign countries, and properties acquired under the act approved May 7, 1926, as amended (U. S. C., Supp. III, title 22, secs. 291, 296), and including also custodial service, heat, light, water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; postage, telegrams, advertising, ice, and drinking water for office purposes; hire of motor-propelled or horse-drawn passenger-carrying vehicles, and purchase, maintenance, operation, and hire of other passenger-carrying vehicles, uniforms, furniture, household furniture and furnishings not to exceed \$25,000, typewriters and exchange of same, messenger service, operation, maintenance, and rental of launch for embassy at Constantinople not exceeding \$3,500, compensation of kavasses, guards, dragomans, porters, interpreters, translators, and supervisors of construction, compensation of agents and employees of and rent and other expenses for dispatch

agencies at London, New York, San Francisco, Seattle, and New Orleans, traveling expenses of Diplomatic and Foreign Service officers, including attendance at trade and other conferences or congresses under orders of the Secretary of State as authorized by section 14 of the act approved May 24, 1924 (U. S. C., title 22, sec. 16; U. S. C., Supp. III, title 22, sec. 16), miscellaneous expenses of embassies and legations, and for loss on bills of exchange to and from embassies and legations, including such loss on bills of exchange to officers of the United States Court for China, and payment in advance of subscriptions for newspapers (foreign and domestic), rent, including quarters for Foreign Service officers assigned for the study of the languages of Asia and eastern Europe and cost, not exceeding \$350 per annum each, of the tuition of such officers, telephone and other similar services under this appropriation are hereby authorized, \$1,336,325: *Provided*, That no part of this sum appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons (except interpreters, translators, and messengers) not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. There have been many cases recently where leases have expired—leases made by ministers or envoys—and then a few days after they have executed new leases orders have been given them to go to another post. They then are under obligation to pay for the length of the lease, although they may be compelled to leave shortly afterwards. I want to know if in this bill there is any provision to take care of those cases?

Mr. SHREVE. I am very happy to say to the gentleman that this bill has provided for that emergency and the Secretary of State can take over those leases and assign them to somebody else.

Mr. WATSON. Of course, that has been recently.

Mr. SHREVE. Just now, as provided in this bill.

Mr. WATSON. There must be a limit, must there not?

Mr. SHREVE. Such limitation as the Secretary of State desires. Of course, the money appropriated to take care of those things will have to be divided equally. It is not a large fund.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For allowance for clerk hire at consulates, to be expended under the direction of the Secretary of State, including salary during transit to and from homes in the United States upon beginning and after termination of services, \$1,853,266.

Mr. LaGUARDIA. Mr. Chairman, I move to strike out the last word. I intended to offer an amendment to this section, as I did last year and the year before, but I have been informed that the Committee on Foreign Affairs of the House has reported a bill which will give a chance to young American citizens to receive employment at these consulates. We have this year a provision that clerks at our embassies and legations must be American citizens, and that is a very wise and wholesome provision. I can not agree with the statement made yesterday by my colleague from New York, the distinguished gentleman on this subcommittee [Mr. GRIFFIN], that citizens are not entirely desirable at consulates. That is not a correct statement, especially at this time when an extraordinary amount of work in connection with visas in conformity with the quota provision of the immigration law has been assigned to our consulates in foreign countries.

There have been some abuses at consulates; there have been complaints and there have been officials dismissed at consulates; but now that we have this immigration work, which brings thousands of people to our consular offices that we did not have before immigration work was put on the consulates, it is absolutely necessary that we have American citizens doing the clerical work at consulates. Why, gentlemen, if you go to the office of the British consul general in New York you will not find anyone doing any clerical work there except British subjects. If you go to the French consulate—and I am not speaking about embassies—and to the German consulate, you will find their own nationals doing the work. I think it is a very small piece of economy to employ aliens at our consulates because we can get them, as the hearings show, for \$900 a year.

This work at the consulates affords a very splendid opportunity for young college men to get experience in our Foreign Service. They can acquire a knowledge of foreign languages just as rapidly and just as well as the nationals or natives of another country can acquire knowledge of the English language while working at our consulates.

We should open the door to these young men and give them an opportunity to go abroad, and we should certainly send out our young men and women as clerks in these various consulates.

Mr. DICKSTEIN and Mr. LINTHICUM rose.

Mr. LaGUARDIA. I yield first to the gentleman from New York.

Mr. DICKSTEIN. Is it not a fact that in at least five or six countries in Europe conditions are rather horrible as a result of employing the natives of that particular community, resulting in hardships to American citizens who travel abroad?

Mr. LaGUARDIA. The gentleman is quite right, and at certain consulates these native clerks are very abusive to the people who come there; their own natives, if you please. This does not represent the spirit of America, and this is the immigrant's first contact with any branch of the American Government.

So, Mr. Chairman, I hope rather than retrench, the appropriation will be increased. We have an increase in the allowance this year, as I have noticed from the hearings, and that is very wise and necessary.

Why, Mr. Chairman, I served in the American Consular Service five years, and when I resigned from the service I was so broke that I had to work my way home on a steamer. Of course, now we provide for travel pay and it is a real service. I can talk rather feelingly on this subject, and I want to say the five years I had in the service were very useful to me. I had the opportunity of learning foreign languages and getting some business experience. I gave in return, I hope, useful and good services. It is a splendid opening for young college men and women, and I am glad we have an increased appropriation here, and I do hope we will get favorable action on the bill reported by the Committee on Foreign Affairs and give this chance to many young American citizens.

Mr. SHREVE. Mr. Chairman, in reply to the gentleman from New York, I wish to say that the committee this year visited 9 different countries and 28 different cities where we have consulates, and I want to inform the gentleman that there is not one single boy in the United States who would go to Europe and accept any position that is offered there that is now filled by an alien at a salary of \$970, which is the highest salary any of them receives.

Mr. LaGUARDIA. That is just my point. It is a disgrace we should pay such a low salary and bring about a low standard of living in our own offices.

Mr. SHREVE. Let me ask the gentleman this question: Does he want to convey charwomen across the Atlantic to work in these offices? Does the gentleman want to take in janitors or window washers or employees of that type?

Mr. LaGUARDIA. A clerk is not a charwoman or a window washer. No; I do not want to take in a window washer or a charwoman or a valet, but I want to take in clerks; yes.

Mr. SHREVE. I also found another thing. Many of these clerks are of the greatest value to the United States. They are loyal to the last degree. They speak various languages and act as interpreters and are of great help. I do not know that I would want to run one of these offices without having the assistance of some of these foreign clerks.

Mr. LaGUARDIA. There is nothing about a language that one can not acquire. I was raised in Arizona and was sent to Hungary. My district covered Croatia, and I learned the Serbian language.

Mr. SHREVE. I am familiar with a couple of foreign languages myself and know something about that.

Mr. LaGUARDIA. Yes; there is nothing exclusive about foreign languages.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and gentlemen of the committee, I am very glad to hear this discussion about the pay of foreign clerks. I have introduced a bill (H. R. 9110) for the classification and increase of pay of foreign clerks.

This bill has now been favorably reported by the Committee on Foreign Affairs and the report will be in the House in the next day or so.

I can not agree entirely with the gentleman from New York about not having any foreign clerks in the service, because I am informed by Mr. Carr, the Assistant Secretary of State, that it is very essential that we do have some foreign clerks—men who understand the language, understand the manners, and understand the people.

Mr. Carr tells us that these clerks are able to get certain information which is absolutely necessary for the Foreign Service, and that they must be able to mix with the people and know them in order to get such information. I entirely agree with the gentleman that we should have just as few foreign clerks as it is possible for us to have, and in order to do this we must give our own clerks more pay; in fact, we must give the foreign clerks more pay. At the present time a foreign clerk can not receive more than \$1,000 a year, and many of them receive as little as \$720 a year, and quite a number receive even less than that.

This bill of mine will enable young men from this country to take up the Foreign Service and to become clerks in the embassies, legations, and in the consulates.

Mr. SHREVE. Will the gentleman yield?

Mr. LINTHICUM. Certainly.

Mr. SHREVE. I just want to express my great appreciation of what the gentleman is saying. I thoroughly agree with him. I think they ought to have more money and I hope the gentleman's bill passes.

Mr. LINTHICUM. I thank the gentleman. I think the bill will commend itself to everybody interested in the welfare of the Foreign Service of our country.

I should like to see the foreign clerks get enough money so we can have young American men go into the service and eventually reach the career service, and I believe this bill will eventually do this. The bill will not only do this but it will also enable us to give better pay to the foreign clerks, who are now working for less than they could obtain from commercial work or even in some of the departments of our own Government. I hope the time may come, as I said, when we will have as many of our own people at the consulates, embassies, and legations as possible and as few alien clerks as we can get along with and as are necessary. We must give them more pay, we must give them a chance for advancement, and this bill of mine will give them a career and enable them to enter the service as a life work. [Applause.]

In the testimony before the Foreign Affairs Committee, as I recall it, there are 2,113 clerks in the Foreign Service. Of this number, 757 are Americans.

Under a bill passed in 1906 no clerk of a foreign national can be employed receiving over \$1,000 salary. The result is that all these clerks of foreign nations get less than \$1,000, and the general average among them does not seem to be more than \$750. Note that the law passed in 1906 prohibiting the payment of foreign clerks not more than \$1,000 is some 24 years old, during which time the cost of living must have increased threefold. It was possible at the time the law was passed to get a very good clerk of another nation at that sum, but to-day it is quite impossible to do so. The good clerks of the service of foreign nationals are those who have been holding on, hoping that Congress would eventually do the right thing by them. They can certainly not hold on much longer.

Now, as to the American clerks, my bill would remove the \$1,000 restriction for foreign nationals and would grade and classify the clerical force at rates of compensation as follows: \$4,000, \$3,750, \$3,500, \$3,250, \$3,000, \$2,750, \$2,500—further classification below \$2,500 in the discretion of the Secretary of State.

To adjust salaries in countries where the cost of living is unusual and excessive my bill provides:

SEC. 3. That the Secretary of State is hereby authorized, at posts where in his judgment it is required by the public interests for the purpose of meeting the unusual or excessive costs of living ascertained by him to exist, to grant compensation to clerks assigned there in addition to the basic rates herein specified, within such appropriations as Congress may make for such purpose: *Provided, however*, That all such additional compensation with the reasons therefor shall be reported to Congress with the annual Budget.

Perhaps it is not generally known, but the truth is the salaries are so small that the Government does not want to employ clerks for the foreign service who are married, because it is quite impossible for two to live on the salary on which they must begin. This is quite a commentary on a great Government like ours.

The State Department is limited, as I have said, in the payment of clerks of foreign nations, and, strange to say, there is no limitation on any other department of our Government as to such salaries. I will not say more at this time and am only saying this as an advance word on my bill, which I hope will soon come before you. I trust I shall have the support of the House when it is reached. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

IMMIGRATION OF ALIENS

To enable the Department of State to perform the duties devolving upon it under the laws regulating immigration of aliens into the United States, including the same objects specified in the acts making appropriations for the Department of State for the fiscal year 1931, under the heads of salaries and contingent expenses of the Department of State, salaries of Foreign Service officers, allowance for clerk hire at United States consulates, transportation of diplomatic and consular officers and clerks, and contingent expenses, United States consulates, \$600,000, of which not to exceed \$37,640 shall be available for personal services in the District of Columbia.

Mr. DICKSTEIN. Mr. Chairman, I move to strike out the last word. It seems to me that the House should acquaint itself with the foreign situation more fully. There ought to be a different system installed in a number of the consulates.

In a number of cases in Poland and Latvia, particularly Latvia, men were sent for, for the purpose of securing a non-quota status as ministers of the gospel or any other religious denomination. After they got there, the consul representing the American Government would say:

Well, minister, you stay here and we will make an investigation and see whether or not the people whom you are going to connect with will look after you.

So the investigation is sent on to the State Department, and by the slow process of operation it takes another month or two. In the meantime the minister has practically to support himself up to the last dollar he has. After six or eight months—and in a number of cases almost a year and a half—the minister is informed that the consul and the State Department, particularly the consul who has too much discretion, says: "You can not go, for I am not satisfied that this church or synagogue that you are going to connect yourself with will look after you."

What happens? The man has spent every dollar that he has. He can not go anywhere; he is a man without a country.

This investigation in most cases is a farce. The consul is particularly directed by the general instruction circular, No. 926, which I have in my hands, to expedite applications for nonquota visas of ministers. Instead of that, a great deal of pettifoggery and chicanery is resorted to before a minister is permitted to depart to this country.

There are hundreds of instances continually coming to my attention about this situation. The official instructions prohibit a consul from accepting a nonquota application, unless he is convinced that the grounds therefor are valid. So far, so good. But in cases which are doubtful, the immigrant should be permitted to set forth on the face of the application his reasons, if any, for claiming nonquota status. (Sec. 104 of Regulations.) It is under this section that great abuses have crept in and without any rhyme or reason and without any justification for such action, consuls are continually tempted to reject bona fide applications made by ministers for admission to the United States, without proper legal reasons therefor.

It seems to me that consuls ought to use some discretion and intelligence before they send for a man, particularly a minister of the gospel who is not coming here for any business purpose. He is not interfering with our immigration policy, and the least they can do, certainly, is not to send for the minister until they make the investigation and determine whether or not he is qualified under the immigration act.

If they do that it will avoid hardships of the worst character. To-day there are at least six or eight ministers waiting at Riga as a result of this foolish system that has been conducted by the consul. He brought the men from all parts of the world and keeps them there and it takes months to investigate, and then he says that he is not satisfied. It seems that the consul bosses the State Department and does not want to recognize the principles laid down by his superior officers.

This entire situation which gives discretionary powers to consuls in matters affecting immigration deserves careful looking into.

Perhaps it will be necessary after a while to designate special quota officers to each consulate, for the purpose of having such officers act on immigration applications. I am aware of the fact that the consuls had this work of issuing immigration visas thrust at them without any preparation and that most of them are not properly equipped to handle immigration visa applications.

But when this country embarked on the policy of issuing immigration visas it should have provided for the proper enforcement of this provision of law by proper officers who know their business and who can intelligently attend to it.

Instances like the one mentioned by me are numerous. Not a day passes without some complaint, addressed not so much to the power of consuls who refuse to grant visas in proper cases, but to their general abusive power, and it seems that foreign clerks attached to the consulates are the worse culprits in that respect. Their treatment of applicants is harsh, unjust, no regard is paid to their legitimate wishes or desires, and any investigation which should be made in conformity of the law is carried out in a spirit of enmity to the applicant and officiousness carried to the highest degree.

I am addressing my remarks to the committee, and will perhaps succeed in getting this body interested in the necessity of overhauling this entire consular machinery, so as to provide

that it run smoothly, efficiently, taking care of deserving cases, and weeding out any undesirable applications in a spirit of fairness, worthy of this great country which these consuls represent abroad, and worthy of the name and fame of America.

I hope the committee may see its way to clear the atmosphere, and I should be glad to give concrete cases where men are penalized as the result of this particular act. [Applause.]

Mr. LA GUARDIA. Mr. Chairman, I move to strike out the last word. The conditions described by the gentleman from New York emphasizes the need of having responsible American citizens at these offices where there is a tremendous amount of immigration work.

In the first place, we have no control or check on the employees of the consulate for misconduct if they are not citizens of the United States. All we can do is to discharge them.

The trouble is that there have been so many thousands of cases in each one of these small offices that it is impossible for the American consul or his deputy to give these thousands of cases their personal attention. The result is that you have aliens—nationals of the foreign country, where the American consulate is located—passing upon these important questions of immigration. The only contact that the prospective alien has is with an official of the consulate.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. DICKSTEIN. Is it not a fact that ninety out of one hundred times they do not give the alien a chance to see the consul?

Mr. LA GUARDIA. They never do.

Mr. DICKSTEIN. And he is taken care of by so-called local natives who are connected with the American consulate?

Mr. LA GUARDIA. Absolutely.

Mr. DICKSTEIN. And the same thing applies to some American citizens who, in order to see the consul, have to pass through a lot of red tape before they can see him.

Mr. LA GUARDIA. There is no doubt about that.

Mr. COLE. Mr. Chairman, what is the quota from Riga?

Mr. LA GUARDIA. That takes in all of Russia.

Mr. COLE. What is the quota from Russia?

Mr. DICKSTEIN. Twenty-seven hundred and odd.

Mr. COLE. There are thousands of them already on the quota list.

Mr. LA GUARDIA. Exactly, but we are not discussing that.

Mr. COLE. It ought not to be necessary to examine all of the applicants.

Mr. LA GUARDIA. The ministers to whom the gentleman from New York [Mr. DICKSTEIN] refers are nonquota, and the wives of citizens are nonquota, and then we have the fathers and mothers, the preferential ones.

Mr. DICKSTEIN. And the professors of colleges and seminaries.

Mr. LA GUARDIA. There are a great many exceptions. This is not the time or the place to complain of the law. We are complaining about the administration of the existing law, of the discourteous treatment on the part of cheap alien employees—non-American citizens—employed at the American consulates. It is disgraceful, and you can not justify it.

Mr. Chairman, you ought to see some of the cheap stationery, the dirty paper used to communicate information on immigration, often with misspelled English words, and circulars that are sent out by some of these consulates. I have seen circulars sent out by consulates that are written on cheap butcher wrapping paper. Surely the United States Government does not want to justify the use of anything like that.

Mr. O'CONNELL of New York. Perhaps that is part of our economy program.

Mr. LA GUARDIA. I do not know what it is, but it is unbecoming and unseemly. We are not complaining now of the American consuls. We have a splendid set of men, but they can not possibly attend to all of these details connected with the work of immigration. But we do say that the clerks, the persons coming in contact with these people, should be American citizens who know the language, who are responsible; who, if they take any remuneration or tips from an alien, we can haul back here and punish. You can not do that with this cheap labor that you have, paying them \$970 a year and letting them pass upon questions of human rights.

Mr. SHREVE. Oh, the gentleman knows that that cheap labor is not passing on the question of human rights.

Mr. LA GUARDIA. That is our complaint—that they are.

Mr. SHREVE. But they are not.

Mr. LA GUARDIA. They are; and that is just our complaint.

Mr. SHREVE. The gentleman is mistaken; but I am very glad that the gentleman has brought this up, because this committee has increased the appropriations for clerk hire to a

large extent, and I think from now on the gentleman will not have any occasion to complain, even if the statements now are justified.

Mr. O'CONNELL of New York. We increased it to \$105,000.

Mr. LA GUARDIA. How much is it increased in this appropriation bill?

Mr. SHREVE. We are doing all of these things.

The CHAIRMAN. The time of the gentleman from New York has expired. Without objection, the pro forma amendment will be withdrawn and the Clerk will read:

The Clerk read as follows:

To pay the traveling expenses of Diplomatic, Consular, and Foreign Service officers, and other employees of the Foreign Service, including officers of the United States Court for China, and the itemized and verified statements of the actual and necessary expenses of transportation and subsistence, under such regulations as the Secretary of State may prescribe, of their families and effects, in going to and returning from their posts, including not to exceed \$110,000 incurred in connection with leaves of absence, and of the preparation and transportation of the remains of those officers and said employees of the Foreign Service, who have died or may die abroad or in transit while in the discharge of their official duties, to their former homes in this country or to a place not more distant for interment and for the ordinary expenses of such interment, \$510,000: *Provided*, That this appropriation shall be available also for the authorized expenses of the judge and district attorney of the United States Court for China while attending sessions of the court at other cities than Shanghai, not to exceed \$8 per day each, and for the authorized subsistence expenses of consular and Foreign Service officers while on temporary detail under commission.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. KETCHAM. Mr. Chairman, I ask the chairman of the subcommittee whether I am correct in my assumption that the total amount of increase provided in the way of salaries for Foreign Service approximates \$1,500,000?

Mr. SHREVE. About that; yes.

Mr. KETCHAM. Will the gentleman please advise whether or not there is any increase in the personnel?

Mr. SHREVE. Oh, yes. The personnel is increased all the way through the bill in the Department of State.

Mr. KETCHAM. Does that increase in the personnel account for the increase in salaries, or is that both an increase in salary and in personnel?

Mr. SHREVE. Both. We have taken care of the salary matter and also of the personnel.

Mr. KETCHAM. That was leading up directly to the question I had in mind. I notice there is an increase in the item of \$100,000 for transportation. Naturally with the personnel remaining constant—

Mr. SHREVE. We would not need that, but with a larger force we have to have more money.

Mr. KETCHAM. And this means that the \$100,000 provided here over and above the transportation provided in last year's bill accounts for the additional personnel.

Mr. SHREVE. Yes. It provides for 67 additional Foreign Service officers. Necessarily their traveling expenses to some extent must go along with it.

Mr. KETCHAM. And that is looking forward somewhat to this idea of employing more Americans in the consulates?

Mr. SHREVE. We would be very happy if we did not find ourselves obliged to hire foreign people.

Mr. KETCHAM. I thank the gentleman for his information.

Mr. STAFFORD. Mr. Chairman, the explanation contained in the colloquy between the gentleman from Michigan [Mr. KETCHAM] and the chairman of the subcommittee prompts me to withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the reservation of the point of order. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For the payment of the quota of the United States for the support of the Pan American Union, \$147,219.60, and for printing and binding of the union, \$20,000; in all \$167,219.60.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes.

Mr. STAFFORD. Will the chairman kindly inform the committee as to the total expense that is involved in the maintenance of the Pan American Union? We contribute under this

paragraph \$167,219.60. What proportion of the total expense is our contribution?

Mr. SHREVE. I regret to say that I am unable to give the total expense, because we are simply paying our proportionate part of whatever it is. The 21 American Republics maintain the Pan American Union, and every one of those Republics contributes its proportionate share according to population. The latest estimate of our population, as furnished by the census, is 122,000,000 inhabitants. That is of June 30, 1929. The appropriation for the Pan American Union that we made for the current fiscal year is \$167,219.60.

Mr. STAFFORD. Then I assume that all the countries in the union are paying their contributing share.

Mr. SHREVE. Yes. They are paying their share, and they are very happy to do so. It brings the people of the United States and Central and South America together more closely, and the result is very satisfactory.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

To meet the share of the United States in the expenses for the calendar year 1929 of the International Bureau of the Permanent Court of Arbitration, created under article 43 of the convention concluded at The Hague, October 18, 1907, for the pacific settlement of international disputes, \$2,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Are we to understand from the paragraph last read that our annual contribution in support of the Permanent Court of Arbitration at The Hague is only \$2,000?

Mr. SHREVE. That is our assessment.

Mr. STAFFORD. Would our share of the expense be greater if we were a recognized member of the Permanent Court of Arbitration?

Mr. SHREVE. Possibly; I imagine so.

Mr. STAFFORD. I am just advised privately by the gentleman from Illinois [Mr. CHINDBLOM] that this is not the Court of Arbitration but merely the International Bureau connected with the court.

Mr. SHREVE. That is right.

Mr. STAFFORD. And we are not contributing anything to the support of the Permanent Court of Arbitration?

Mr. CHINDBLOM. This is the court established many years ago, back in 1897, which has not been actually functioning much during the last few years, since the Court of International Justice has been projected.

Mr. STAFFORD. And if we were members of the Court of International Justice our expense would be much larger, and probably a proportionate part of the expense of that institution?

Mr. SHREVE. This is simply a record office of the Court of Arbitration. It is something like a clerk's office—to keep the records.

Mr. STAFFORD. Somewhat perfunctory in its character?

Mr. SHREVE. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the payment of the quota of the United States, including the Territory of Hawaii, and the dependencies of the Philippine Islands, Porto Rico, and the Virgin Islands, for the support of the International Institute of Agriculture for the calendar year 1931, \$9,600;

For the cost of translating into and printing in the English language the publications of the International Institute of Agriculture at Rome, \$2,000;

For clerical assistance and traveling and office expenses, \$3,660;

Total, \$15,260.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. KETCHAM. Mr. Chairman, I desire to call the attention of the chairman to this paragraph and to direct a question to him concerning it. I notice in the statement as to the appropriation for last year that \$58,000 was included, and that the Budget estimate for the next year, 1931, for which we are now appropriating, is \$23,000, and that the committee recommended a sum less than that by \$8,000. I would like to ask the chairman of the committee to make a statement, if he will, as to

the reason that impelled the committee to take that action respecting this institution, to which heretofore we have given our approbation and enthusiastic support.

Mr. SHREVE. I shall be glad to answer the gentleman from Michigan if I can. We have reduced this appropriation this year by \$7,850. We have made the reduction because we have been unable to reach any sort of satisfactory agreement with constituted authorities as to the conduct of the institution, and we think our Government should not continue to pay the extraordinary portion that we pay. Unless the treaty is denounced, we should pay our proportion, but we think that the institution is not doing the work it should do and that the United States is not receiving the benefit it should receive.

Mr. KETCHAM. Mr. Chairman, I appreciate the candor of the chairman of the committee in making this statement. I hope it will be borne in mind later when we take up for consideration again a bill that has been passed by the House several times, but which failed in another body, looking to the development of our foreign agricultural service. In previous years we have been depending a great deal on information from this International Institute of Agriculture. I hope, considering the statement that the gentleman has made, that the House will give the same enthusiastic support to the bill I referred to that was manifested in the preceding actions of the House.

Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For an additional amount for necessary special or technical investigations in connection with the authorized work of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase, exchange, hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, \$131,230, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I notice there has been considerable change in the phraseology and rearrangement of the clauses in the pending paragraph over that carried in existing law; also, quite a decided increase in appropriation. I believe last year the amount carried was \$75,000 as compared with \$131,230 in this year's bill. First, has there been any additional authority vested in the International Joint Commission by the change of phraseology?

Mr. SHREVE. Oh, no. This is merely to bring these items together where they may be passed upon at one time, so as to avoid complications in filing accounts with the comptroller and others.

Mr. STAFFORD. Then, next, what is the occasion for the increased appropriation? Is that due merely to the merger of items of appropriation? If my notes are correct, in last year's act we appropriated \$75,000 while in this year's bill it is proposed to appropriate \$131,230, almost a 100 per cent increase. I am in sympathy with the work of this commission, as I believe it involves the determination of questions relating to the great St. Lawrence waterway.

Mr. SHREVE. I will say to the gentleman that these expenditures really come under two treaties. For instance, I will refer to things that are pending at the present time: Trail Smelter reference; Roseau River reference; Rainy Lake reference; St. Mary and Milk Rivers apportionment; West Kootenay Power & Light Co.; and many things of that kind which occasion the increase. These studies have all come up during the last 2, 3, or 4 years.

Mr. STAFFORD. Then, as I infer from the gentleman's statement, this increase is more seasonal than it will be continuous.

Mr. SHREVE. I imagine it will not be continuous, because as soon as these studies are taken care of that ends it, unless there is some new matter presented.

Mr. STAFFORD. I do not wish the gentleman to go into it at length, but do the hearings disclose the progress of the work of the commission so far as the St. Lawrence waterway is concerned?

Mr. SHREVE. Well, no. I can only say this: That the regular work has been maintained along the St. Lawrence by the commission that has been maintained for a number of years, but as far as the proposed international waterway is concerned I am unable to give the gentleman any information because there is nothing in this bill which covers that.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The Clerk read as follows:

MIXED CLAIMS COMMISSION, UNITED STATES AND GERMANY—AND TRIPARTITE CLAIMS COMMISSION, UNITED STATES, AUSTRIA, AND HUNGARY

For the expenses of determining the amounts of claims against Germany by the Mixed Claims Commission established under the agreement concluded between the United States and Germany on August 10, 1922, and subsequent agreement between those Governments, for the determination of the amount to be paid by Germany in satisfaction of the financial obligations of Germany under the treaty concluded between the Governments of the United States and Germany on August 25, 1921, for the expenses of determining the amounts of claims against Austria and Hungary by the Tripartite Claims Commission established under the agreement concluded between the United States and Austria and Hungary on November 26, 1924, for the determination of the amount to be paid by Austria and Hungary in satisfaction of the financial obligations of Austria and Hungary under the treaties concluded between the Governments of the United States and Austria on August 24, 1921, and between the Governments of the United States and Hungary on August 29, 1921, and/or the treaties of St. Germain-Laye and Trianon, respectively, including the expenses which under the terms of such agreement of August 10, 1922, and the agreement of November 26, 1924, are chargeable in part to the United States; and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of claims and the presentation thereof before said mixed and tripartite commissions, including salaries of an agent and necessary counsel and other assistants and employees, rent in the District of Columbia, employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, and for contract stenographic reporting services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), law books and books of reference, contingent expenses, traveling expenses, and such other expenses in the United States and elsewhere as the President may deem proper, \$125,075.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last figure. I think the committee and the country would be interested in having a summary statement as to the progress which has been made in the settlement of the claims pending between the United States and Germany and also between the United States and Austria-Hungary. I am quite sure the hearings give that information and will not impose too great a burden upon the chairman of the subcommittee.

Mr. SHREVE. I am very happy to do so. The Mixed Claims Commission is getting along splendidly and we have been able to reduce their appropriation this year by \$7,000. That is a reduction for 1931, and it is understood that at the end of 1931 the work of that commission will have ceased. This current year, however, they ask for a supplemental appropriation of about \$28,000, I think, because of some additional work which the commission has had to take on in disposing of belated claims that were not filed at the original time for the reception of claims.

Mr. STAFFORD. I was under the impression that the work had virtually been completed or was nearing completion.

Mr. SHREVE. The commission feel that they are going to clean this work up by the end of 1931, and I presume this will be the last appropriation we will have. The Mixed Claims Commission was organized pursuant to the joint resolution of July 2, 1921, terminating the war between the United States and Germany, the treaty of August 25, 1921, between the United States and Germany, and the agreement entered into August 10, 1922, between the United States and Germany, for the adjudication and settlement of the claim of the United States and of American nationals. The appropriation is necessary for that commission and to meet the expense of the Tripartite Claims Commission which was organized under a treaty concluded between the United States and Austria on August 24, 1921, and between the United States and Hungary on August 29, 1921, for the purpose of settling the obligations and claims arising between the Governments and peoples of these countries.

Mr. O'CONNELL of New York. Will the gentleman from Wisconsin permit me to ask the chairman of the subcommittee a question?

Mr. STAFFORD. Certainly.

Mr. O'CONNELL of New York. Then this \$28,000, which will be asked in addition to this appropriation, will be the final expense?

Mr. SHREVE. It is expected that will be the last and final expense. It might be interesting to the committee to know that there were filed with the Mixed Claims Commission more than 12,425 claims under the original agreement of August 10, 1922, the amount claimed approximating \$1,479,000,000. Subsequently there were filed 7,300 additional claims. These additional "late" claims were filed with the Department of State between April 9,

1923, and July 1, 1928. The added work of handling these "late" claims will make necessary a deficiency appropriation for the current year of 1930 amounting to \$28,833, which is being requested through the Bureau of the Budget for inclusion in the first deficiency bill.

Mr. MORTON D. HULL. And that will end the work of the commission?

Mr. SHREVE. We expect that will end the work.

Mr. STAFFORD. Mr. Chairman, I think there should be a commendatory word passed upon the work of this Mixed Claims Commission. Invariably it has been the rule that when we create a commission to determine or settle claims the work goes on like water flowing over the rock, unendingly, and they never come to an end. This was the history of the Cuban Claims Commission and the Mexican Claims Commission. They are nice, favorite abodes oftentimes for those select former Members of Congress designated opprobriously as lame ducks.

I believe the payment of these claims is carried as a part of the Young debt settlement, and everything is amicably arranged for the payment of the debt as adjudicated by this commission between our Government and Germany.

Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

For the expenses of the settlement and adjustment of claims by the citizens of each country against the other under a convention concluded September 8, 1923, and of citizens of the United States against Mexico under a convention concluded September 10, 1923, between the United States and Mexico, including the expenses which, under the terms of the two conventions, are chargeable in part to the United States, the expenses of the two commissions, and the expenses of an agency of the United States to perform all necessary services in connection with the preparation of the claims and the presenting thereof before the said commissions, as well as defending the United States in cases presented under the general convention by Mexico, including salaries of an agent and necessary counsel and other assistants and employees and rent in the District of Columbia and elsewhere, law books and books of reference, printing and binding, contingent expenses, contract stenographic reporting services, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), the employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, traveling expenses, and such other expenses in the United States and elsewhere as the President may deem proper, \$350,000.

Mr. JOHNSON of Texas. Mr. Chairman, I move to strike out the last word for the purpose of securing some information from the committee.

This commission, known as the Joint and Special Claims Commission, is the commission that is investigating the claims of citizens of the United States and also the claims of citizens of Mexico.

Mr. SHREVE. Yes.

Mr. JOHNSON of Texas. The amount of the bill, of course, is for the expenses of the commission and will not be expended, any portion of it, in the payment of any of these claims.

Mr. SHREVE. No; not a cent.

Mr. JOHNSON of Texas. Is the committee able to inform us about when these claims that have been allowed by the commission will be paid? Has the gentleman any information on that? I will say to the gentleman I have had criticism from some people in Texas who have had claims pending for quite a while, some of which have been allowed, and I was wondering if the committee could give us any information about the probable time when these claims that have been allowed will be paid.

Mr. SHREVE. I will say to the gentleman that there were so many claims that were not presented on time that we found it necessary to continue the work of the commission for a certain period of time, and nothing is going to be paid until it is all settled, which we hope will be in the very near future.

Mr. JOHNSON of Texas. Some of these claims have been allowed for quite a long while and bear no interest, and it hardly seems fair that the claimants who have established the justness of their claim should have to wait until all the claims have been passed on.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. JOHNSON of Texas. Yes.

Mr. CHINDBLOM. Of course, that is a matter that can not be controlled by our Government alone.

Mr. SHREVE. No.

Mr. CHINDBLOM. It is a matter of mutual arrangement and agreement, and in this connection, as I understand it, there has been a recent convention or renewal of a former convention under which the work, which for a time was rather lagging, has again been taken up with the hope of as early a conclusion as possible.

Mr. SHREVE. Really, we must take into consideration somewhat the financial condition of our neighbors. We are not pressing them at this time. To date the total awards in favor of the United States aggregate \$2,512,121.18.

Mr. JOHNSON of Texas. Is that the total of the claims allowed?

Mr. SHREVE. The awards up to the present time, and there is interest on that amount of \$542,668. Now, listen to this. The total awards in favor of Mexico aggregate only \$39,000, with no interest allowed. So the gentleman can see how overwhelming it is on one side.

Mr. JOHNSON of Texas. Is pay day dependent on the time when Mexico is able to pay?

Mr. O'CONNELL of New York. We still have to wait for Mexico before the whole matter may be settled. It is an international matter.

Mr. MORTON D. HULL. Did I understand the gentleman to say that the total claims against the United States amount to over \$2,000,000?

Mr. SHREVE. No; the awards against Mexico amount to over \$2,000,000 and the awards against the United States amount to \$39,000.

Mr. MORTON D. HULL. I am noticing the relatively large amount of appropriation in respect to these claims, \$350,000.

Mr. SHREVE. This is to take care of the office force, the gathering of information, and the dissemination of it. Another difficulty is that when you go down to Mexico to examine a title or to do any research work, or to find out the facts relative to a particular claim, it is almost an endless proposition, and necessarily it costs more money. It is not like it is in the United States courts.

Mr. MORTON D. HULL. Will the gentleman answer a further question? How does this appropriation compare with the appropriation for the commission in past years?

Mr. SHREVE. About the same.

Mr. MORTON D. HULL. How many years has the commission been in existence—since 1923?

Mr. SHREVE. Six years, I think.

Mr. STAFFORD. Does not the gentleman think that if we would contribute direct to the payment of these claims the amount of money that we are appropriating every year for the expense of the commission, \$350,000, which is a tidy sum, there would be better prospect of these claimants getting something substantial than if we wait upon the action of the Republic of Mexico?

Mr. SHREVE. I am sure the gentleman does not care to embarrass the chairman of the committee.

Mr. STAFFORD. Under no circumstances would I desire to embarrass the gentleman—

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STAFFORD. But I do wish to say that by reason of our relations with Mexico being so harmonious at the present time, through the great services of Ambassador Morrow, there is much more prospect of these claims being adjudicated amicably, and perhaps some adjustment made than there has been in the past, when our relations were not as cordial as they are to-day.

Mr. SHREVE. It will really soon be over now. I did not state that there is a limitation of two years. A further extension of two years was signed by the two countries under date of September 2, 1929, and ratifications were exchanged October 15, 1929.

Mr. STAFFORD. Then we will know very shortly whether we are going to get anything or not?

Mr. SHREVE. I think so.

The pro forma amendment was withdrawn.

The Clerk read as follows:

GORGAS MEMORIAL LABORATORY

The Gorgas Memorial Laboratory: To enable the Secretary of State to pay the annual contribution of the United States to the maintenance and operation of the Gorgas Memorial Laboratory, as provided by the act approved May 7, 1928 (45 Stat. 491), \$50,000.

Mr. WATSON. Mr. Chairman, I move to strike out the last word. I recall distinctly the act of 1928, when we appropriated for this memorial laboratory. I notice that the hearings are not very extensive; can the gentleman inform us what has been accomplished, and if any of the Latin-American countries have, or are likely to agree, to help support the institution? Or is it a purely American proposition?

Mr. SHREVE. It is to be carried on by the United States, stimulated by a fund authorized to be contributed by the Gov-

ernments of Latin-American countries in the act which created it.

Mr. WATSON. Is it now a going institution?

Mr. SHREVE. Yes.

Mr. WATSON. What is the nature of the cases?

Mr. SHREVE. Every class of case that requires scientific inquiry.

Mr. WATSON. Have they gone so far as to make a serum?

Mr. SHREVE. I can not answer the gentleman for I do not know. I will say to the gentleman that its organization contemplates two principal lines of operation—one for the dissemination and popularization of health and sanitary work in the United States, supplemental to governmental health activities; and the other for the intensive study in the Tropics of the causes and prevention of disease. The first-named phase is understood to be already well organized and the other phase will now be undertaken under the authority of the act above cited and by means of the funds thereby authorized and the supplementing funds which may be contributed by the Governments of the Latin-American countries, as authorized and invited by the act. The two phases of work will be kept entirely distinct each from the other, both as to operation and finances.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For salaries of the judge, district attorney, and other officers and employees of the court; court expenses, including reference law books, ice, and drinking water for office purposes, \$41,650.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word. I find here an appropriation for reference law books for the court in China. Then I find ice and drinking water. I would like to know if this is cracked ice or cube ice.

Mr. SHREVE. Shaved ice.

Mr. LAGUARDIA. That goes well with mint juleps.

Mr. O'CONNELL of New York. I call the gentleman's attention to the fact that there is appropriated for the maintenance of the United States Court in China \$41,650 and only \$9,600 for the support of prisoners.

Mr. LAGUARDIA. We ought not to have any prisoners in China; we have enough of our own.

Mr. O'CONNELL of New York. But the gentleman must remember we have extraterritorial rights there.

Mr. LAGUARDIA. I understand that. They tell me that in the Orient it is necessary to have water; but they tell me that they have to blend the water with something in order to keep off the tropical diseases. [Laughter.] Is there sufficient in this appropriation to keep our judge and district attorney healthy and sober?

Mr. SHREVE. I wish to say that the water situation in China is different from that at home. When I was there the water was served in bottles. The water came from the mountains and is carbonated. It is sparkling drinking water. This is to take care of the health of the officers and the officials of the United States, and, of course, they have to furnish them ice.

Mr. LAGUARDIA. I am glad that the Appropriations Committee has furnished sufficient bottle supplies for the court in China. [Laughter.]

Mr. STAFFORD. I wish to say to the gentleman for the benefit of the ultradry from the Wolverine State that the eighteenth amendment does not apply in China.

Mr. LAGUARDIA. Hence the ice and bottled water. [Laughter.]

Mr. SHREVE. Everything is extraterritorial out there and you may do as you please.

Mr. BLACK. Mr. Chairman, I move to strike out the last word. I think the time is soon coming when we will no longer have this item in the appropriation bill. I believe the administration has made great progress in cooperation with the Nationalist Government of China, to do away with these extraterritorial courts. It is time that they were done away with. Time and time again we have promised the Chinese Government that we would not insist on extraterritorial rights. A great many of the other powers have withdrawn their claims. This system of extraterritorial rights is an invasion of the sovereignty of China, and we will accomplish a great deal for the peace of the world if we do away with them. A great movement sprung up among the Chinese people, under the inspiration of Dr. Sun Yat Sen, which had for its main objective the removal of foreign courts, the removal of foreign privileges. This movement was successful. Generally the Chinese people were back of it and supported it.

It won out, and it created a government—a government that had some fine notions for the progressive development of China, but all of the time these extraterritorial courts stood in the way of Chinese progress. We, at the Washington conference, together with other powers, agreed that in time we would with-

draw this jurisdiction. We have always said that China is a sovereign country, and at the same time we have denied to China one of the main rights of sovereignty, and that is control within its own geographical borders of its own subjects and of foreigners who happen to live there. This House passed the Porter resolution a few years ago by a vote of almost 3 to 1, urging immediate withdrawal of these extraterritorial courts. The administration did a great deal along that line by the removal from China of a nonsympathetic diplomat. I regret that the London parley has not taken up this question. If we remove these courts, and the other powers do the same, China can put herself on a firm basis. China can then develop. One of the great irritations of the East, the uncertainty in China, will then be removed. One of the great causes for war, one of the great possibilities leading up to conflagration in the Far East will then be removed. All we are doing is maintaining courts there to try a few divorce cases, to try a few men who run counter to the ideas of peace-loving Chinese, and who insist on being tried in our courts. I think the day is coming soon when we will no longer have this item in the appropriation bill, and I believe the House will be in accord with the elimination of this insistence that we keep our nose in Chinese affairs. I am quite sure that we would not want the Chinese to maintain courts in this country. I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For the purchase of law books, books of reference, and periodicals, including the exchange thereof, for the Department of Justice, \$7,000: *Provided*, That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word, in order to ask a question about this \$2 per volume limitation for the purchase of the United States Code. Is that the cost of the publication, can it be obtained for that, or is this simply prohibitory?

Mr. SHREVE. It is not prohibitory. If they can get it for that, they can buy it.

Mr. LAGUARDIA. I thought it cost more than that?

Mr. BACON. It does; but not for the Government.

Mr. LAGUARDIA. Can we get them for that?

Mr. SHREVE. Oh, yes.

Mr. O'CONNELL of New York. What is the meaning of the expression "including the exchange thereof"?

Mr. SHREVE. Of books?

Mr. O'CONNELL of New York. Yes.

Mr. SHREVE. It sometimes happens that you will have a chance to trade in some old volumes for new volumes. Sometimes a publisher will come along and be willing to trade a set of new books and take the old ones in exchange. That happens sometimes. That, however, does not apply to the Agricultural Yearbook, some one suggests.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of criminal identification and other records and their exchange with the officials of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; hire, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles when necessary; firearms and ammunition, such stationery and supplies for use at the seat of government or elsewhere as the Attorney General may direct, including not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses; and payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice, including not to exceed \$341,546 for personal services in the District of Columbia, \$2,781,419.

Mr. WATSON. Mr. Chairman, I offer to amend, on page 34, line 24, after the words "and other," by inserting the word "criminal," so that it will read "criminal identification and other criminal records."

If the gentleman will remember, a few days ago we passed a bill. There was a committee amendment adding "other records," and also there was an amendment made on the floor, offered by the gentleman from New York, Mr. LAGUARDIA, to insert the word "criminal." If you do not do that, you have the section different from the bill that was passed by the House.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield? Mr. WATSON. Yes.

Mr. CHINDBLOM. My recollection is that the gentleman from New York [Mr. LAGUARDIA] suggested the word "crime" rather than the word "criminal." I observed afterwards in the CONGRESSIONAL RECORD that the word "criminal" was used. I do not know what word actually was incorporated in the bill that was sent to the Senate.

Mr. LAGUARDIA. The gentleman from Illinois is correct.

Mr. WATSON. Here is the CONGRESSIONAL RECORD, and the amendment was to insert after the word "other" the word "criminal."

Mr. CHINDBLOM. I observed that, but I remember distinctly that the gentleman from New York suggested the word "crime" rather than the word "criminal," and there was a distinction made at the time.

Mr. LAGUARDIA. Exactly; and I intended to make that distinction. I think the bill is properly amended.

Mr. SHREVE. Does the gentleman think that this language is not sufficient?

Mr. WATSON. I think it ought to be exactly like the language in the bill that we passed.

Mr. LAGUARDIA. I suggest that the gentleman from Pennsylvania withdraw his amendment, so that we can really ascertain just how the bill reads now, and then we can put in the proper word at the proper time in the other body.

Mr. SHREVE. I am unable to see at the present time just why the bill is not satisfactory. I am sure that any lawyer would construe it to cover the whole situation.

Mr. WATSON. I think the appropriation bill should be just as the House bill 977 was passed.

Mr. SHREVE. I think we ought to have an opportunity to take it up later.

Mr. WATSON. Very well. Mr. Chairman, I withdraw the amendment for further consideration.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last figure. I notice that there is an increase in this item of almost a half million dollars for the detection and prosecution of crime. I suppose that is a deserved increase?

Mr. SHREVE. Yes.

Mr. STAFFORD. Can the gentleman give to the House what this paragraph carried in the appropriation bill, say, 10 years ago, to show the increase that has grown up in the last decade?

Mr. SHREVE. I am happy to say that I can give that information. Ten years ago it was \$2,725,000, but the gentleman must remember that there have been numerous acts passed by the Congress since that time which would naturally increase the amount. There is, for instance, the Dyer Act and the narcotic act, and there are four or five other acts that have brought about a larger amount of work in this department.

Mr. STAFFORD. What is the reason for the unusual increase this year of nearly half a million dollars?

Mr. SHREVE. It is due to the increase of the business. It is everywhere. The demand upon this bureau for assistance comes from every part of the United States. The young man at the head of the bureau, to my mind, is conducting the bureau very much better than it has ever been done before. He is an active man, and the situation is covered by these men all over the United States. He has come to the point where he does not accept anybody as an agent unless he is a lawyer. It takes a fine lawyer when he is starting out. We are very much pleased with the work of that department.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

EXAMINATION OF JUDICIAL OFFICES

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, and clerks of the United States courts and Territorial courts, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also, when requested by the presiding judge, the official acts, records, and accounts of referees and trustees of such courts; for copying, in the District of Columbia or elsewhere, reports of examiners at folio rates; traveling expenses; and including not to exceed \$49,500 for personal services in the District of Columbia; in all, \$170,000; to be expended under the direction of the Attorney General.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment: On page 35, line 18, after the words "accounts of" insert the word "judges" and a comma.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 35, line 18, after the words "accounts of," insert the word "judges."

Mr. LAGUARDIA. Mr. Chairman, I hope to have the sympathetic attention of the Committee on Appropriations on this amendment. In all likelihood there will be no need to avail ourselves of the change made by my amendment, but if an occasion should arise it is extremely necessary.

Let me give an instance. At the last Congress I personally called on the Attorney General for the use and advantage of these 42 agents covered in this section in an inquiry as to certain charges concerning the actions of a judge.

The Attorney General replied that he did not think he could do so on his own initiative, but he could do it if a committee made that request. Then he found he could not under the law detail any man to investigate these acts. Then we had to pass a resolution in the House, and then go to the Attorney General, and he employed these agents without pay, and when they completed their work they were returned to that department.

Now, I submit that under our Government all this procedure should not be necessary. I see no reason why in our action respecting a certain judge, when we call upon the department to use these agents and accountants who have experience as investigators to check up on the action of the judge—I see no reason why we should not be able to obtain that service. It should be done, of course, under proper circumstances. The Department of Justice is the only branch of our Government that is entirely aloof and not subject to any check up. That is our Department of Justice. It is extremely difficult to invoke the machinery provided under the Constitution to remove a judge.

Mr. O'CONNELL of New York. That is because under the Constitution they have a life tenure of office. Now, let me ask the gentleman this question: If you add additional work to that department and it is called upon to perform it under the appropriation provided, then what?

Mr. LAGUARDIA. The procedure should be to let the Attorney General know that in a proper case, where there is a resolution of investigation, or a resolution of impeachment, if you please, we may call upon him to use the machinery and men in his department to check up as to the information the committee may want.

Mr. O'CONNELL of New York. That is the only place you can go to.

Mr. LAGUARDIA. Yes. I hope the committee will not oppose the amendment.

Mr. SHREVE. Mr. Chairman, I think this amendment, if it belongs anywhere, should be under "Investigation and prosecution of crimes." This item simply applies to the examination of judicial officers, not as to the conduct of judges. It is simply intended to go into the courts and examine the state of affairs in those courts—in the offices of those courts.

Mr. LAGUARDIA. It is the examination of the official acts of the courts.

Mr. SHREVE. It has to do with the collection and application of fees, and things like that. This does not belong to the judges at all. It is getting a good way from the purposes and intentions of the act, which provides that on certain occasions these men may go about the country and examine those offices and see that in every way they are complying with the practices prescribed for those offices. It does not apply to the judges.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Enforcement of antitrust laws: For the enforcement of antitrust laws, including experts at such rates of compensation as may be authorized or approved by the Attorney General, including not to exceed \$55,000 for personal services in the District of Columbia, \$203,600.

Mr. HULL of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. HULL of Wisconsin: Page 36, line 10, after the word "Columbia," strike out the figures "\$203,600" and insert "\$700,000."

Mr. HULL of Wisconsin. Mr. Chairman, I offer this amendment for the reason that this is the only bureau having in charge the enforcement of the antitrust laws of the country. For over 40 years the people have been demanding of Congress and of the administrative bureaus the prosecution of those organizations alleged to be committing illegal acts in restraint of trade. Twenty-seven years ago there were appropriated \$500,000 for enforcement of the antitrust laws. That amount has been gradually decreased until now the estimate for the coming year is \$203,600, or the same annual expenditure as has been provided for several years past.

The attorney for the Attorney General's Department appearing before the Appropriations Committee stated that they had been before the Budget Committee and endeavored to get a larger amount because they needed a larger amount for their activities. The Budget Committee declined to increase the amount and the Appropriations Committee, after hearing the same gentleman, has declined to increase the amount. The consequence is that this bill comes in here with practically the same amount to be appropriated for the enforcement of the antitrust laws as we have had in the last 18 or 20 years.

At this time the people of the smaller communities, and larger communities as well, are pleading that some Government agency investigate and prosecute those monopolistic enterprises which are driving the independents from business—such as the chain stores, the group banks, the chain banks, the power trust, and many other organizations of like nature. The people are looking to the Justice Department at this time as never before for the enforcement of the antitrust law provisions.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. HULL of Wisconsin. Yes.

Mr. SCHAFER of Wisconsin. I would suggest that the gentleman from Wisconsin also include the Industrial Alcohol Trust, which has been so viciously opposing a protective tariff on blackstrap molasses which is advocated by the farmers of America. We have an industrial alcohol monopoly in this country to-day. I have made a study of this situation and know whereof I speak.

Mr. HULL of Wisconsin. If this amendment shall be adopted, and this increased appropriation allowed to the department, I shall be very pleased to go with the gentleman from Milwaukee to the department and call attention to the action he desires.

Mr. STAFFORD. Will the gentleman yield?

Mr. HULL of Wisconsin. Yes.

Mr. STAFFORD. Do the hearings disclose the amount that was recommended to the Budget by the department as sufficient for their activities?

Mr. HULL of Wisconsin. The hearings do not seem to give the figures.

Mr. SHREVE. I can answer the gentleman. This exact amount was recommended to the Bureau of the Budget. And let me say to the gentleman that last year there was an unexpended balance of \$26,672, so you see they do not need the money. If they had spent their money up to within a few dollars that would have been some indication that they were entitled to more money. But this is all the money they asked for.

Mr. BANKHEAD. Will the gentleman yield?

Mr. HULL of Wisconsin. Yes.

Mr. BANKHEAD. This small and constantly dwindling appropriation requested for the enforcement of the antitrust laws might be an indication upon the part of the powers and authorities that they do not want them to fully perform their duties in this regard.

Mr. SHREVE. Well, the gentleman can draw his own conclusion.

Mr. BANKHEAD. I am basing my statement upon the statement made by the gentleman from Wisconsin, that there is a great demand upon the part of the people out in his section of the country that there be greater activity on the part of this department, but the people representing the department say they can not carry on greater enforcement without adequate appropriations.

Mr. HULL of Wisconsin. That is very true. If I may proceed for just a moment, I would state that the explanation given by the chairman is partly true. They did not ask for more, but they explained that they needed more; that they had dispensed with the services of several men and that they had gotten rid of a certain number of bureaus or clerks in bureaus in order to obtain enough funds to hire special counsel. At this time this particular bureau has 26 cases in the various district courts against large aggregations of capital charged with violating the antitrust law. One is a case against Swift & Co., and there is also a case in the Supreme Court against Swift &

Co. Another case is one against the Great Western Sugar Co. Several other cases of that kind, including a number against moving-picture companies, are now pending and are being prosecuted in the district courts of the United States.

Here we have a bureau with only 20 attorneys in it, the largest salary paid to any attorney being \$7,500, and the larger number of attorneys in that bureau receiving as little as \$2,500 a year. That bureau, and the small appropriation it has to work with in opposition to the unlimited resources of monopolistic combinations, is the response of the Budget Committee and of the Committee on Appropriations to the widespread demand of the people of this country who wish to have some real and active enforcement of the antitrust laws.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that my colleague may proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HULL of Wisconsin. I fully understand the difficulty in having an amendment adopted to an appropriation bill when the committee is opposed to it, but the point I am trying to make is that the people of this country want more action in this particular bureau in the enforcement of the antitrust laws. They want the antitrust laws enforced, and they are demanding it. Yet we are permitting a Budget Committee, and we are permitting people who have not taken into consideration the rights and demands of the people in connection with the enforcement of these laws, to fix the amount which this bill shall carry for that purpose. I understand that the Attorney General has evidenced a desire to have more activity in the prosecution of antitrust law cases. Now, if he desires that—and I have much confidence in the Attorney General—then it seems to me it is time the Congress responded to the demands of the people. Regardless of what some committee may think about the activities of this bureau, they, the people, demand action; and there should be funds provided sufficient to bring about such action.

Mr. BANKHEAD. Will the gentleman again yield?

Mr. HULL of Wisconsin. Yes.

Mr. BANKHEAD. I think this is a rather important matter than the gentleman raises. The gentleman offers an amendment to increase this appropriation some \$500,000. Upon what does the gentleman predicate that figure?

Mr. HULL of Wisconsin. Because they need funds enough for this important purpose. I have no information so as to say how it should be apportioned, and I do not claim to have such knowledge. We have various bureaus of government, and we have our Committee on Appropriations, informed as to details, but they come in here appropriating the same old amount, and the bureau complains that it has not sufficient funds to take care of its activities.

Mr. BANKHEAD. That is exactly what I desired to ask the gentleman.

Mr. SHREVE. I beg the gentleman's pardon. There never was such a complaint made to our committee.

Mr. BANKHEAD. I have the floor temporarily.

Mr. SHREVE. But I can not allow that statement to go unchallenged.

Mr. HULL of Wisconsin. I will read the complaint if the gentleman will give me the opportunity.

Mr. BANKHEAD. I understood the gentleman to say that the Department of Justice had requested a larger appropriation than the one carried in the pending bill; is that true?

Mr. HULL of Wisconsin. I will give the gentleman the testimony taken by the Committee on Appropriations. I was not there. It is in the record, and I presume it is true.

The statement of the representative of the Department of Justice was as follows:

Mr. O'BRIEN. We asked the Budget Committee for more money, but they felt it was difficult to forecast what our expenses would be, and declined our request.

I respectfully call the attention of the chairman of the committee to that testimony.

Mr. BANKHEAD. The main object of my inquiry, because I am in sympathy with the purposes expressed by the gentleman, was to find out whether the figure suggested by the gentleman was based approximately upon the recommendation made by the Department of Justice. It is evident from the statement read from the hearing that they did ask for more money, and I now ask the chairman of the subcommittee if he knows and will tell the House how much the Department of Justice requested for this purpose.

Mr. SHREVE. Yes; they asked for \$75,000 more.

Mr. BANKHEAD. Why did not the gentleman's committee give it to them if they said that was necessary?

Mr. OLIVER of Alabama. I think this should be said. The Attorney General, as I recall, made reference to this particular appropriation and said that probably he might later have to ask for more money. He did not ask for more money, and perhaps one reason was that we had provided a very large sum for the employment of special attorneys, and under that appropriation he would be authorized to employ special attorneys in cases of importance and regarded as urgent. He can pay as much as \$10,000 to special attorneys in cases where he feels the public interest requires. Had the Attorney General requested that we appropriate at this time more money for antitrust cases, we should gladly have allowed it. He felt that probably it would not be required, but did say, whether it appears in his revised statement or not I am not prepared to say, that he might require more money for this purpose.

If the gentleman will permit, as showing the attitude of the Attorney General on this subject, I will read, with the consent of the gentleman, some excerpts from a speech of the Attorney General delivered at Memphis, Tenn., to the American Bar Association:

When this administration took office, the largest problems confronting the Attorney General were: Improvement and reform in the Federal prison system, and in the related subject of paroles and probation, and improvement in the enforcement of the criminal laws of the United States, in connection with which the two major problems arise under the national prohibition act and the antitrust laws.

In the first place, let me say that the department's program of law enforcement does not make any exception of the antitrust laws. I have read nothing in the President's inaugural address or in any other of his statements which makes any distinction in the matter of law enforcement between the antitrust laws and any other acts of Congress, and I have received no intimation from any source that the antitrust laws were to be neglected or that violations of those laws were not to be prosecuted with vigor and determination. There have been many changes in economic conditions since these statutes were passed, and much discussion has arisen as to whether some modification of them is desired to meet modern business conditions. The antitrust laws are founded on the proposition that avenues of industrial opportunity must be kept open as far as possible to the initiative of the individual citizen. The alternative is bureaucratic regulation. That is not an attractive alternative. At any rate, until the political philosophy underlying the present antitrust laws has been abandoned by Congress, it will be the duty of the Attorney General to enforce those laws, and we shall undertake to do this without prejudice and with fairness, but with firmness. The Department of Justice is not the place in which to amend the antitrust laws or any other acts of Congress. Changes in business conditions and methods of marketing, vertical trusts, chain stores, and other modern developments have come thick and fast and have been somewhat confusing to those dealing with the antitrust laws, but I have no doubt that the principles contained in these statutes will be intelligently applied by the courts to the modern conditions.

Our material prosperity has been so overwhelming, our business institutions have been increasing in size and number with such leaps and bounds that I fear there has been a disposition here and there to go too far and transgress the law. The machinery of some trade associations seems to have been made use of for transactions that come dangerously near price fixing. With every disposition to refrain from any interference with legitimate business, the antitrust division of the Department of Justice proposes to deal vigorously with every violation of the antitrust laws which comes to its attention.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, if the gentleman will permit, I will state that the Attorney General impressed at that time on the members of the American Bar Association that the enforcement of the antitrust laws would have, his very careful attention and consideration and he expressed the conviction that there were probably many improper mergers. With this kind of a declaration by the Attorney General, I feel confident he has given special study to this important question, and when he declined to ask at this time for an increase in this appropriation he must have felt the appropriations provided under this head, and for the employment of special counsel, were probably sufficient.

Mr. SHREVE. If I may add a word, the Attorney General said that it was on the theory that "if we need more money later, we can ask for a supplemental appropriation," and this is often done.

Mr. OLIVER of Alabama. That is the statement I had reference to a moment ago.

Mr. HULL of Wisconsin. Mr. Chairman, even if we admit that the Attorney General has not asked for any more money, I am here to say that you have got a very large and important activity in this bureau. There is a wholly insufficient sum provided for that activity, and if you do not provide any more money, you can expect to get any more out of the department, so far as the prosecution of trusts is concerned, than you have been getting in the past.

Whether you adopt this amendment or some other amendment, something ought to be done to bring this bureau into that kind of activity where the people will feel they have some protection against trusts and monopolistic combinations—mergers and the like.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. HULL of Wisconsin. I will yield to the gentleman from Illinois.

Mr. CHINDBLOM. I observed that the gentleman said to his colleague that he would go with him to the department. Is that the way the department ought to be advised as to how the money shall be expended?

Mr. HULL of Wisconsin. I was merely making a kind offer to the gentleman in case he wanted to go to the department for any reason. I should be pleased to go with him and show him where the department is. [Laughter.]

Mr. CHINDBLOM. I venture to suggest, if I may, that the proper way is for the department head to determine how the money he needs shall be expended.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I move to strike out the last word. I rise in support of the amendment. There seems to be a widespread opposition throughout the country against certain chain institutions which are throttling the little independent merchants, such as the grocer, the meat-market man, and the drug-store operator.

By passing this amendment increasing the appropriation we will serve notice on the Attorney General of the United States that this Congress firmly believes that monopolies violating the antitrust laws should be vigorously prosecuted.

Mr. Chairman, we hear on the floor of this House day in and day out—we hear in other legislative halls—much talk about law enforcement. There are appropriated millions, tens of millions, twenties of millions, to enforce the prohibition laws to prosecute the little fellow and punish him; but you hamstring the Department of Justice when it comes to appropriations with which to prosecute huge monopolies that violate the antitrust laws. I have carefully studied the prohibition question and know that in this Nation to-day we have an Industrial Alcohol Trust, a practical monopoly. We should place in the hands of the Department of Justice sufficient funds so that they can properly tend to the Industrial Alcohol Trust.

Why, gentlemen, talk in favor of law enforcement? Let us not be put in the attitude of talking and practicing law enforcement only for the little fellow. Let us not talk and provide appropriations only when it comes to enforcing the eighteenth amendment and laws enacted thereunder.

Let us take care of the big fellow. Place sufficient funds in the hands of the Attorney General so that he can prosecute big monopolies which violate the antitrust laws. If we can appropriate many millions of dollars to enforce the prohibition law against the little fellow who may be transporting a bottle of nonintoxicating beverage containing 2.75 alcohol by weight, or a small bottle containing a gill of distilled spirits, we ought to be able to place in the hands of the Attorney General sufficient funds to prosecute those who violate the antitrust laws. Pass this amendment and let the country know that we believe in law enforcement, that we believe in enforcing the law against the big monopolies. If the Department of Justice does not use the money they can not pass the buck to Congress and it will not run away from the Treasury. [Applause.]

Mr. PITTINGER. Mr. Chairman, I rise in support of the amendment of the gentleman from Wisconsin. I had an amendment prepared to this section of the appropriation bill increasing the figure from \$203,600 to \$503,600. I will not offer my amendment because I think this amendment of the gentleman from Wisconsin [Mr. HULL] covers the same purpose and is more liberal along these lines.

I think \$203,600 is entirely inadequate for investigation and work in enforcing the antitrust laws in the United States. This is especially true in view of the fact that \$55,000 of the proposed appropriation is for use in the District of Columbia, leaving only \$148,600 for use all over the United States.

Mr. Chairman, there is no single item in this appropriation bill which deals with a subject of more importance to our people. There has been a vast economic change in the life of

America within the last three or four years. Nothing has affected our people more seriously than the development of chain stores, chain banks, mergers, and combinations. They have changed the whole industrial life of our people.

I think it proper for this body to say, not only to the Department of Justice, but to the Federal Trade Commission, and every arm of our Government that has to do with these mergers and combinations, these chain stores which are driving the little fellows out of existence, that the Congress of the United States is back of them with sufficient money to make sufficient and proper investigation, so that all the data that is needed for intelligent and constructive action may be available. Then if more legislation is needed, we will be in possession of the facts, and can give attention to the same.

I believe that the Department of Justice should have sufficient money available, if needed, so that full information may be secured on the problem of centralization of credit, monopoly in merchandising and industry, and on other phases of this merger problem. Then when they have this information, funds should be available for prosecution for the violation of the law where that is found to exist. The small-town merchant, the small-town banker, have been landmarks in our social, economic, and industrial life. Their very existence to-day is threatened. They are entitled to whatever protection can be afforded to them under existing law. The best way to give them that protection is to increase the appropriation so that the department can make a real investigation, wherever necessary. I hope that the amendment of the gentleman from Wisconsin [Mr. HULL] will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 10, noes 29.

So the amendment was rejected.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer another amendment which I send to the desk.

The Clerk read as follows:

Page 36, line 10, strike out "\$203,600" and insert "\$303,600."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 10, noes 26.

So the amendment was rejected.

The Clerk read as follows:

SALARIES AND EXPENSES OF COMMISSIONERS, COURT OF CLAIMS

Salaries and expenses of commissioners, Court of Claims: For salaries of seven commissioners at \$7,500 each, and for travel expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties prescribed in the act entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation," approved February 24, 1925 (U. S. C., title 28, secs. 269-271; U. S. C., Supp. III, title 28, secs. 270, 271a), \$41,790.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word. We passed a bill in the House changing this whole matter with reference to commissioners of the Court of Claims. I do not know whether the gentleman's attention was called to it or not.

Mr. SHREVE. That has not yet become a law.

Mr. STAFFORD. It has only passed the House.

Mr. BANKHEAD. It might be necessary later to amend this so as to conform to it.

Mr. SHREVE. Yes.

Mr. BANKHEAD. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

MARSHALS, DISTRICT ATTORNEYS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

For salaries, fees, and expenses of United States marshals and their deputies, including services rendered in behalf of the United States or otherwise, services in Alaska in collecting evidence for the United States when so specially directed by the Attorney General, traveling expenses, purchase, when authorized by the Attorney General, of four motor-propelled passenger-carrying vans at not to exceed \$2,500 each, and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals, \$3,880,000: *Provided*, That there shall be paid hereunder any necessary cost of keeping vessels or other property attached or libeled in admiralty in such amount as the court, on petition setting forth the facts under oath, may allow.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 41, line 2, strike out "\$3,880,000" and insert in lieu thereof "\$3,900,000."

Mr. LAGUARDIA. Mr. Chairman, I crave the patience of the subcommittee on this amendment. It is an increase of \$20,000. We have an increased number of deputy marshals in all of the judicial districts, but particularly in the large cities. Some of these deputy marshals are now drawing less than \$35 a week. In fact, the average pay is about \$1,800 a year, and that is just \$35 a week. We have several in the southern district of New York getting less than \$1,800. The work of a deputy marshal, the conditions under which he lives, in a center like New York City, is quite different from that of the lone deputy marshal in a small town where the judge visits it once or twice a year on his circuit. He has his car fare every morning and evening and he must provide for his lunch. Some of these men are sent down to Atlanta escorting prisoners, and I tell you that a man in a city can not live decently on \$35 a week. There are some of our men who have not even proper clothes. I have talked with Mr. Gardner about it, and he is sympathetic. He is going to do the best he can with the increase that you have allowed him, but it is going to mean a very slight increase and not sufficient to go around. In large cities, where the work of the deputy marshal is now important, we ought at least get \$20,000 more in an appropriation of \$3,880,000. The \$20,000 is not going to break the United States Government. You want good men, you want respectable men to do that kind of work. I am appealing to give them only a few dollars a year more, to at least permit them to exist.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SNELL. Is not the criticism the gentleman makes relative to our deputy marshals true of every other service in the country? We establish a base rate, and the people in the country districts get the same as those in the city. The jobs in the country districts are fairly good, and in the city they are very poor and will remain so until you can make some discrimination. The same thing is true of the postal clerks. They do not get any more pay in New York City than in any other place. Mr. LAGUARDIA. In this there is a little more latitude. This is a lump-sum appropriation, and I am willing to leave it to the good judgment of the department. They can perhaps add \$75 or \$100 a year or more to some of these deputies in the large centers. I assure my colleague that the condition is bad or I would not make this appeal.

Mr. SNELL. Can you do that and give it to part and not to all?

Mr. LAGUARDIA. I think they will find a way of doing it.

Mr. SNELL. I agree with the statement the gentleman makes.

Mr. LAGUARDIA. I realize that you have already given \$50,000 more, but that is not enough, because the \$50,000 covers the whole section; and when you take care of the assistant district attorneys and so on there will not be very much more left. I am appealing for these men in the big cities who are getting less than \$1,800 and doing the work of a deputy marshal.

Mr. BACON. Some of them get only \$1,620.

Mr. SHREVE. Mr. Chairman, this matter has been coming to the attention of the committee for two or three years. Last year we made an increase of \$76,000. We have made another increase this year of \$100,000, \$50,000 of which is to apply directly to the people to whom the gentleman refers.

Mr. LAGUARDIA. But I just heard the distinguished chairman of the subcommittee in reply to an inquiry say that the cost of government is increasing and expenses are increasing, justifying another increase in another item, and properly so. We must keep up. We can not compare the number of deputy marshals to-day to the number that we had 10 years ago, or the cost of living to-day with what it was 10 years ago.

It is simply asking to start, at least to be able to tell these men that we are trying to do something for them.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SHREVE. Mr. Chairman, it is rather singular that the Attorney General, who was before our committee for several days, did not put some stress on this question that this bureau was not being properly cared for, because we have been making these increases heretofore, and we have given the estimate recommended by the Budget Bureau. Personally I may say I have been in sympathy with these men and have tried to give them more money.

Mr. LAGUARDIA. I think I am not violating any confidence when I say I spoke with the Attorney General the other day about it, and he told me he did not think this amount would be sufficient to bring up those men in New York to \$1,800. You know the amount we give the deputy marshals under this appropriation. I am simply asking to increase that amount by \$20,000. I hope the committee will support my amendment.

Mr. OLIVER of Alabama. Mr. Chairman, the gentleman from New York is always fair, and I think he will agree with me that it would not be an orderly way to provide appropriations if we should undertake to increase by small amounts appropriations placed in the hands of the Attorney General to be spent in the exercise of a broad discretion now vested in him by law. In other words, if in the interest of individual appeals an increase was granted, it might be construed that Congress by providing such increase considered the individual appeal had special merit and thus lead to individual appropriations. The committee has been responsive to suggestions for increases in this item not only this year but in the past, and I respectfully suggest that it would be a dangerous precedent if, because of an individual appeal, we should increase the amount just a little.

I do not question the correctness of any of the statements which the gentleman from New York makes, but here we have a large appropriation which must be expended under the discretion of the Attorney General within certain limits, and the Attorney General recommends no increase in the amount. Last year we increased it, and this year increased it again. Therefore I ask that you not increase it even by the sum of \$20,000, because other Members may feel impelled or called on to make similar special appeals for small additional amounts in the hope that it may be construed as a congressional direction to increase the pay of certain individuals in whose behalf it was suggested.

Mr. LAGUARDIA. I am not appealing for individuals, but for that class all over the country who are getting only \$600, and the deputy marshals, who are getting \$1,620.

Mr. OLIVER of Alabama. If you vest in an official the right to fix salaries within certain limits and give a lump sum for that purpose, we should not interfere with the exercise of his discretion. Without the request of the official authorized to fix the salary, we should not grant increases in individual cases. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Fees of jurors and witnesses, United States courts: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the actual expenses of witnesses, as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (U. S. C., title 28, sec. 577), \$3,650,000: *Provided*, That not to exceed \$10,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I rise to inquire whether any testimony has been presented to the attention of the committee to show the inadequacy of the fees paid under the statutes to jurors serving in the United States courts.

Mr. SHREVE. That matter did not come up this year.

Mr. STAFFORD. I make that inquiry on account of an instance being called to my attention while I was at home during the holiday recess by a juror attending the court, who complained that the fees and allowances made were not sufficient to meet the expenses incurred by members of a jury while attending the United States court, particularly if they lived at a distance from the court. It is the practice when the court holds sessions for only five days a week as customary that during the week-end those living near by can go home and that the fee and mileage allowed is sufficient to compensate them.

But if they live at a distance, say, Superior, Wis., and come to Milwaukee, 350 or 375 miles away, the fees for the term do not meet their actual expenses for maintenance. I wish to ascertain if there is anything in the record to support the complaint as to the condition that was called to my attention.

Mr. SHREVE. There is nothing in the bill to change that situation. We are not a legislative committee.

Mr. STAFFORD. I was only asking if there was anything in the hearings bearing on the subject.

Mr. SHREVE. No; there is not.

Mr. SNELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. SNELL. I am very much interested in these appropriations as is the gentleman from New York [Mr. LaGuardia], but along different lines. I wish to ask what arrangement has been made with reference to the salaries of clerks and district attorneys?

Mr. SHREVE. We have increased them. For the regular assistants we have increased the appropriation by \$266,300.

Mr. SNELL. That is, the assistants?

Mr. SHREVE. Yes.

Mr. SNELL. I have found in our country that we could not get a reasonably capable assistant for the amount that is provided. It is not a fair thing for the Department of Justice to have an underpaid district attorney go up against highly paid lawyers representing the other side.

Mr. SHREVE. If the Attorney General wants more money, if he needs more money, the officials of that department will say so when they come before us, and we want to give it.

Mr. SNELL. I think that is fair.

Mr. RANKIN. Mr. Chairman, I notice a statement in the morning press by the chairman of the Committee on World War Veterans' Legislation, Mr. Johnson of South Dakota, to the effect that veterans' legislation is in need of a "complete overhauling," and also to the effect that something must be done to bring about a coordination of veterans' activities. His statement indicates that he had just returned from the White House, where he had had a conference with the President.

I do not know what the President's attitude is on the legislation we are now considering, but I do know that our uncompensated disabled veterans who need the assistance of their Government are in no position to wait a year or two for an investigation, a survey, and an overhauling of the Veterans' Bureau.

These men are dying at the rate of about 8 or 10 a day. Their wives and children in many cases are suffering for the want of attention. Many of these poor fellows are at home struggling to earn a livelihood for their families when they ought to be at home in bed or in hospitals. But they have too much love for their families to even go to a hospital and leave them without any means of support.

We are now holding hearings on House bill 7825, to extend the presumptive period of N. P. and T. B. cases to January 1, 1930, and also to amend the law to take in all chronic constitutional diseases and to repeal sections 206 and 209 of the World War veterans' act, which limited the time in which these men might file their claims or make their proofs. If we should go into the proposition of a general revision, overhauling, investigation, survey, and what not of the Veterans' Bureau it would take a year or two, and in that time many thousands of these boys would pass away.

Let us pass the bill (H. R. 7825) now before the committee, which has the approval of the veterans throughout the country and which will have the support of at least three-fourths of the membership of this House, and rescue these disabled men from the barbed-wire entanglement of red tape now existing in the Veterans' Bureau. [Applause.] Let us bring relief to them; and then, when this emergency is taken care of, we can later take up the proposition of surveying, investigating, "overhauling," readjusting, or abolishing the Veterans' Bureau, as Congress may deem proper. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

For bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York and the northern district of Illinois; expenses of circuit and district judges of the United States and the judges of the district courts of the United States in Alaska, Porto Rico, and Hawaii, as provided by section 259 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911 (U. S. C., title 28, secs. 9 and 596); meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, Title II, of the act of June 6, 1900 (31 Stat. 639); and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$485,000: *Provided*, That no per diem shall be paid to any bailiff or crier unless the court is actually in session and the judge present and presiding or present in chambers.

For such miscellaneous expenses as may be authorized or approved by the Attorney General for the United States courts and their officers, including experts at such rates of compensation as may be authorized or approved by the Attorney General, including also so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska and in courts other than Federal courts, and including travelling expenses pursuant to the subsistence expense act of 1926 (U. S. C., title 5, ch. 16), \$950,000.

Mr. LaGuardia. Mr. Chairman, I move to strike out the last word. I would like to have the attention of the distinguished gentleman from Alabama, who made such a fervent appeal a few moments ago to protect the Treasury of the United States. We have here a section which provides \$5 a day for bailiffs who are court attendants. Then we provide that no per diem shall be paid to any bailiff or crier unless the court is actually in session and the judge present and presiding or present in chambers. I submit that 50, 60, or 75 years ago when you paid a bailiff \$5 a day you could provide that he should not be paid if the court was not in session, but that does not apply to some of the bailiffs in New York who are now getting \$5 a day and who act as attendants upon a judge.

If the judge happens to be sick and you dock the bailiff \$5 a day, how is he going to eat and support his family? You pay him \$35 a week, and then you write a proviso that, if the court is not in session, he is not going to be paid. That may be all right for a small community where the court sits two or three weeks during the year and where the bailiff may have another occupation and simply acts as bailiff during the few weeks the court is in session in his town, but in the large centers, where you have several judges and a judge goes on his vacation for three months, then you leave the bailiff high and dry without any pay. I submit that this is not an appeal for any one individual. This is a matter of simple justice and ordinary decency in providing proper pay for these men. I know some of these bailiffs in New York, old men, who have been bailiffs for a long time. They are in a deplorable economic condition. I do not believe this is good legislation and I do not believe it represents the intent and desire of a majority of the membership of this House.

Mr. OLIVER of Alabama. The gentleman asked that I give attention to his statement and I have. I submit to the gentleman that if he will read the proviso:

That no per diem shall be paid to any bailiff or crier unless the court is actually in session and the judge present and presiding or present in chambers—

he will recognize that is very liberal language. I assume that in New York the judges are present in chambers practically all the time.

Mr. LaGuardia. Not when they go on their vacations.

Mr. OLIVER of Alabama. So far as I am informed, no one stated to our committee that any injustice had been done and it was thought that the \$5 per diem, which has been provided here for this purpose, was adequate.

Mr. LaGuardia. I will say, with all due respect, that these \$35-a-week employees have not the influence or the opportunity to get somebody to speak here for them. It must be an outsider like myself, and then I am voted down by an overwhelming vote. I can not do any more than protest; and I submit that, after all, it is a rather poor thing to do in this day and age. A bailiff does not get \$35 a week; he gets \$30 a week, because the court does not sit on Sunday and the judge is not in court on Sunday. Thirty dollars a week for a bailiff in a district court! And then when a judge goes on his vacation he is left high and dry to peddle matches or pencils on the streets, with a badge on his coat, "U. S. Bailiff." What a fine thing to do!

Mr. SHREVE. Mr. Chairman, just a word. We have increased this appropriation \$30,000 this time.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Support of prisoners: For support of United States prisoners, including necessary clothing and medical aid, discharge gratuities provided by law, and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings occupied under authority of sections 5537 and 5538 of the Revised Statutes (U. S. C., title 18, secs. 691, 692); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no friends to whom they can be sent; shipping remains of deceased prisoners to their friends or relatives in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying and pursuing escaped prisoners and for

rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, \$3,000,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This item includes, as we all noticed, the provisions made for the support of United States prisoners.

The item itself carries an increase of more than one-half million dollars over that carried in the existing law. I wonder if the gentleman having charge of the bill has the figures before him showing what the cost for the support of prisoners in Federal prisons was, say, 10 years back to show whether this appropriation has been unusual in its increase or whether the increase has been gradual.

Mr. SHREVE. Replying to the gentleman from Wisconsin, I would say there has been a steady increase. Starting back in 1920 we appropriated \$1,091,147. So you can see there has been a steady increase every year until last year we gave them \$2,450,000, and the estimate for this year is an even \$3,000,000.

Mr. STAFFORD. It is not a rash prediction to make that in the course of a few years this item will be \$5,000,000, or perhaps \$6,000,000 or \$7,000,000, because under the legislation proposed by the Department of Justice, which passed the House this past week, we are providing for additional accommodations for the housing of Federal prisoners and consequent upon that additional housing this appropriation must necessarily increase very rapidly. It is only fair to say that for this condition the enforcement of the eighteenth amendment is largely provocative, and I am not seeking to bring up a discussion of that much-mooted question in this House and much more mooted outside the Halls of Congress.

Mr. SHREVE. It has been in the minds of the members of this committee that with these largely increased appropriations for attorneys in the Attorney General's department for marshals, for jurors, and for all the various activities of the United States courts and with further appropriations for more prisons and for better treatment of the prisoners, in the long run, the work we are now doing will reduce the prison population rather than increase it.

If the law is enforced, if justice is speeded, and if prisoners are taken care of properly, this is going to have a wonderful effect upon the whole country, and this is what we are facing now with our present Attorney General.

Mr. STAFFORD. Then the gentleman is one of those rare ayes who thinks the eighteenth amendment is possible of enforcement?

Mr. SHREVE. I have not said a word about the eighteenth amendment.

Mr. STAFFORD. No; but the gentleman says the number of persons incarcerated in our prisons will be less as the years go on and it is the general impression of those who know about the conditions outside that if the law is more rigorously enforced more and more people will be in prison walls and fewer outside.

Mr. SHREVE. Oh, no; I want to call the gentleman's attention to the fact that I had reference to the narcotics. One-third of the prisoners to-day are narcotic addicts and we are going to try to cure these people so they will come out of the prisons.

Mr. STAFFORD. I grant you that as they get more and more of those who violate the eighteenth amendment, the proportion of those who violate the narcotic law will be less; not the number, but the proportion will be less as compared with those who will be imprisoned as the result of more stringent and forceful enforcement of the eighteenth amendment.

Mr. OLIVER of Alabama. The gentleman from Pennsylvania [Mr. SHREVE] has supplied the information which I was going to suggest, because I know the gentleman from Wisconsin always seeks information, and since he had made a declaration which was not in conformity with information supplied to our committee, I felt he would like to consider the same. Our information was that the prisoners convicted for violating the Harrison narcotic law exceeded those of any other class of violators.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. OLIVER of Alabama. The gentleman will be further interested, I am sure, along the line the gentleman from Pennsylvania was discussing, that some hope is entertained that under a wise administration of the probation law—and we think there will be such administration when the Senate has acted on the enabling acts which the House passed a few days since—many now confined in jails and prisons may, in the discretion of the judges, be placed on probation in charge of probation officers.

Mr. STAFFORD. Mr. Chairman, if there is going to be any diminution of those incarcerated in Federal prisons or State prisons under existing practice by the operation of the probation law, then a considerable number of those in the eastern district of Wisconsin who are being sent to the Milwaukee House of Correction for violation of the Volstead Act will be granted liberty.

Mr. KETCHAM. Mr. Chairman, I rise in opposition to the pro forma amendment.

In the remarks just made by the gentleman from Wisconsin [Mr. STAFFORD], which I think are rather typical of the remarks made by gentlemen who hold the same views with reference to the eighteenth amendment, he particularly emphasizes the undue proportion of prisoners in our various prisons, both State and Federal, who are there by reason of violation of the eighteenth amendment and laws relating thereto.

I know that a great deal of loose thinking and considerably more loose talking goes on around the country about the overwhelming proportion of such men who are in prison. For instance, in our own State of Michigan there has been circulated recently from a very reputable citizen an article that upon its face seems to be rather startling as to the proportion of those who are in our State prison convicted of liquor offenses. It was written with the idea, that seems to be quite current in these days, of emphasizing the so-called wet viewpoint.

It so happened that the Governor of the State of Michigan was with us within the last three or four days, and his attention had also been called to this particular article, and in connection with an address he made before a group of Michigan people he took particular pains to refer to the population of our own State prison, giving the figures on this very much discussed question, and thinking they might be of some interest to our distinguished friend from Wisconsin—I might say our distinguished friends from Wisconsin, who talk occasionally upon this subject—I want to submit the figures.

The total number of inmates of Jackson Prison January 1, 1930, was 4,418. Those who were there by reason of some infraction of the liquor law were 190. So out of the total population of 4,418 there were only 190 for violations of the liquor law. For robbery while armed there were 711. The governor stated in my hearing that there was that small proportion of those in our State prison by reason of infraction of the liquor law. It is far down the list of crimes for which men are sent to Jackson.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. KETCHAM. No; I can not yield. I wanted to take this time in speaking of Michigan State prison conditions in order that members of the subcommittee might get the information available giving us a classification of the prisoners in the Federal prisons, particularly with reference to prohibition. I now yield to the gentleman from Alabama, a member of the subcommittee who will give the figures for our Federal prisons.

Mr. OLIVER of Alabama. This is the official information: The number under the drug act was 2,731; under the motor vehicle act, 1,377; under prohibition act, 1,887; under Mann Act, 241; under bankruptcy act, 43; under counterfeiting and similar offenses, 456; under postal laws, 1,068; under banking laws, 108; under immigration laws, 230; under interstate commerce laws, 121; under murder and manslaughter, 94; under offenses other than those named, 1,064.

Mr. KETCHAM. Has the gentleman from Alabama any information as to how many prisoners come from States where they have repealed the liquor enforcement law?

Mr. OLIVER of Alabama. No; we have not that information.

Mr. KETCHAM. Has the gentleman any information that he would give as to the effect of prohibition speeches made on the floor of the House as to the enforcement of the liquor laws?

Mr. OLIVER of Alabama. No; I have not.

Mr. KETCHAM. The gentleman has some convictions on the subject?

Mr. OLIVER of Alabama. Very decided ones.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I move to strike out the last three words. Mr. Chairman, I can not allow the remarks of the preceding speaker to go by without bringing to the attention of the House a few facts. He has carefully brought to our attention statistics indicating the segregation of criminals in the Michigan State prison. Such statistics do not substantiate his argument that only a small percentage of persons in prisons are there because of prohibition law violations. It is only in extreme cases that prohibition law violators are confined in State penal institutions. I respectfully submit that if the gentleman from Michigan would obtain statistics from the county and other municipal jails in his State that he would not be able

to present such a good comparison as he has by submitting figures from the Michigan State prison.

I believe that if the gentleman from Michigan would visit Wisconsin he would find that there is more observance of law and order in that State to-day than there is in the State of Michigan.

As far as prohibition law violation statistics are concerned, I would respectfully suggest that the distinguished Member from Michigan talk to the chief of police of the city of Detroit, the largest city in his State, and ask him to furnish the statistics showing the extraordinary number of drunks and drunken vehicle drivers arrested in Detroit under prohibition. These statistics will compare favorably with the largest cities in every State of the Union.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AIRCRAFT IN COMMERCE

Aircraft in commerce: To carry out the provisions of the act approved May 20, 1926, entitled "An act to encourage and regulate the use of aircraft in commerce, and for other purposes" (U. S. C., title 49, secs. 171-184), as amended by the act approved February 28, 1929 (U. S. C., Supp. III, title 49, sec. 173d), including salary of Assistant Secretary of Commerce (provided for in the act cited above), and other personal services in the District of Columbia (not to exceed \$332,880) and elsewhere; rent in the District of Columbia and elsewhere; traveling expenses; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding, and computing machines, accessories and repairs; purchase, including exchange, not to exceed \$6,500, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; purchase and replacement, including exchange, of airplanes (not to exceed \$95,000); purchase of airplane motors, airplane and motor accessories; spare parts, and maintenance, operation, and repair of airplanes and airplane motors; purchase of special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and all other publications; and all other necessary expenses not included in the foregoing, \$1,200,830.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I notice a rather unusual increase of more than a quarter of a million dollars carried in this paragraph. Is that increase due to the growth of the service or to something unusual?

Mr. SHREVE. No; it is nothing unusual. It is the growth of the service. It is growing so rapidly that it is necessary to increase the appropriation. This year we had to increase the appropriation largely for the inspection of aircraft. That is to be used for the inspectors.

Mr. STAFFORD. I realize the necessity of a careful inspection of aircraft, because many of the fatal accidents that happen are due to the defective construction of airships. I realize the need of greater appropriations for their supervision and inspection. I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Air-navigation facilities: For the establishment and maintenance of aids to air navigation, including the equipment of additional air-mail routes for day and night flying, the construction of necessary lighting, radio, and other signaling and communicating structures and apparatus; repairs, alterations, and all expenses of maintenance and operation; investigation, research, and experimentation to develop and improve aids to air navigation; for personal services in the District of Columbia (not to exceed \$95,000) and elsewhere; purchase, maintenance, operation, and repair of motor-propelled, passenger-carrying vehicles, including their exchange; replacement, including exchange, of not to exceed three airplanes, maintenance, operation, and repair of airplanes, including accessories and spare parts and special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, \$7,944,000, of which amount \$500,000 shall be immediately available: *Provided*, That no part of this appropriation shall be used for any purpose not authorized by the air commerce act of 1926.

Mr. CHINDBLOM. Mr. Chairman, after consultation with the chairman of the committee, I ask unanimous consent to insert a semicolon at the end of line 5, on page 55.

Mr. STAFFORD. Will the gentleman yield when he gets through with his technical amendment?

Mr. CHINDBLOM. Will it be something substantial?

Mr. STAFFORD. It will be more substantial than the gentleman's semicolon. It is a matter of over \$2,000,000. Why is that increase made? Is it for the purchase of sites or for operation?

Mr. SHREVE. This comes under air navigation. It provides for the establishment and maintenance of aids to air navigation, including equipment of additional mail routes and night flying, and the construction of the necessary lighting, radio, and other signaling and communicating structures and apparatus, repairs and alterations, and all expenses of maintenance, replacement, and the acquisition of necessary sites.

Permit me to say that just yesterday I was called upon by a very distinguished gentleman from Germany, Dr. Otto Merkel, who is at the head of a great airport in Berlin. This gentleman came on an airship from Buenos Aires. He said there was nothing elsewhere to compare with our radio services or the management of airships. He said that he could sit at ease in the cabin and receive and send radiograms. He said we were very much ahead of every other country. That is very gratifying. We have spent a lot of money, and we have spent it rapidly. We are bound to go on with our experiments.

Mr. STAFFORD. Can the gentleman tell us how this large sum is allocated to the principal activities?

Mr. SHREVE. Yes. On this item the committee has recommended an increase of \$480,000 over the present year.

This appropriation covers the cost of establishing and maintaining civil airways, equipped with intermediate landing fields, boundary and beacon lights, telegraphic, telephonic, and radio communications, and weather-reporting service. Except for a relatively small amount made available to the Bureau of Standards for research designed to improve the facilities for air navigation, it is allotted by the department for expenditure by the airways division of the Lighthouse Service.

Under this fund the committee has recommended a total of \$7,944,000 for the next fiscal year, an increase of \$2,485,380 over the present year and an increase of \$250,000 over the Budget estimates.

We were very anxious to cover the whole situation as outlined to us by men from the South, men from St. Louis, men from Columbus, Ohio, men from Pittsburgh, and on east, and we gave them money enough to carry out the entire program. In addition to that, we made \$500,000 immediately available, so that the work can be started now and not started in July and run into next winter.

Mr. STAFFORD. Will the proposed distance of 15,400 miles of lighted airways cover virtually all of the proposed airways in the country?

Mr. SHREVE. No; I think not. I think there will be some 3,600 more before we have finished.

Mr. STAFFORD. Then, with the addition of 3,600, that will complete the program, so far as lighted airways are concerned, as at present proposed and drafted?

Mr. SHREVE. Before we are done with the proposition we will have about 27,000 miles, but we are not doing it all at once.

Mr. STAFFORD. Then the completed project will have a total radius of 27,000 miles?

Mr. SHREVE. Yes.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin may proceed for two additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Recognizing the interest that the membership of the House feels in the subject, I thought it would be proper at this time to say that a former distinguished Member of the House from Minnesota, Mr. Allen J. Furlow, has recently published a very accurate and interesting compilation of all laws, both State and Federal, in reference to this subject, one purpose being thereby to stimulate interest on the part of States to pass uniform laws.

It is gratifying to note that the States which have acted seem to have evinced a purpose to make the laws just as uniform as possible, feeling that in doing so they could better protect and conserve human life.

Mr. STAFFORD. Can the gentleman inform the committee as to how many States have passed this uniform aircraft legislation?

Mr. OLIVER of Alabama. Not a great number; but I hope there will be a large number added to the list during the present year.

Mr. STAFFORD. Has that legislation been within the purview of the national organization for uniform legislation?

Mr. OLIVER of Alabama. Yes; I think they have called attention to the importance of it, and so far as my information goes there has been no attempt on the part of any State to depart from the uniform legislation that has been recommended.

Mr. TILSON. Mr. Chairman, I rise in opposition to the pro forma amendment. No one is more disturbed than I am over the increased authorizations being made by the Congress from time to time, causing our annual Budget to rise too rapidly year by year. This particular item, however, is one of the appropriations which I feel is netting more for the development of one of the greatest activities of this age than any other. Air navigation facilities are absolutely necessary for the safety and for the continued development of commercial aviation, which is not one of those things to arrive in the future; it is already here and needs only development.

The plan referred to as having been laid out may be fairly well completed, but I am quite sure that before it is fully completed there will be other plans made larger than the original plan and that we shall go on for some time, as I think we should, in providing funds for these air-navigation facilities.

It is one of the fine things that is happening in our Government, as I see it, that we encourage by all proper means commercial aviation by private enterprise rather than to have it carried on by the Government itself. When the Post Office Department turned over the carrying of the mail to commercial companies it did one of the most sensible and far-sighted things that could have been done, both for the Government itself and for the development of aviation. I trust that these air-navigation facilities will be provided for and increased just as rapidly as they are actually needed.

Mr. THATCHER. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. THATCHER. And do not commercial aviation and air-mail navigation constitute a great feature of national defense?

Mr. TILSON. They surely do; and that is the way I think the national defense should grow. The development of aviation for commercial purposes by private enterprise is being far better done, in my judgment, than it could have been done by the Army or the Navy; while in case of war it would be found a very easy matter to convert commercial aviation into national defense, which surely would be done, just as we should convert commercial trucks into carriers of soldiers, provisions, ammuni-

tion, and other supplies in case they should be needed, and every qualified pilot would be well on the way to become a military ace if, unhappily, war should come.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Promoting commerce in Latin America: Investigations in Latin America for the promotion and development of the foreign commerce of the United States, \$520,000.

Mrs. ROGERS. Mr. Chairman, I move to strike out the last word.

I rise to ask a question of the chairman of the subcommittee in charge of the bill. My understanding is that you have added an appropriation of \$5,000 for a trade commissioner at Bogota and an assistant trade commissioner to Buenos Aires.

I am very much interested in furthering friendly relations with Latin America and in the development of our foreign trade in Latin America. In my own district there are tanneries, and one of the most important leather-manufacturing companies in America produces leather in Lowell, the city where I live.

As the United States is the largest producer of leather in the world, this country requires more cattle hides than any other leather-producing country. More than 20,000,000 cattle hides are tanned annually in the United States, while the local yearly production of these hides in late years has averaged less than 15,000,000.

Therefore, in order to fully satisfy the domestic requirements of the American tanneries, more than 5,000,000 cattle hides must be imported each year. These hides are obtained from a wide range of sources and virtually every producing country supplies some share of these requirements. Approximately 20 per cent of the world's production of cattle hides is obtainable from South American countries, and the quality of a large share of these is equal to that produced in any other country and better than that obtainable from most producing centers. The competition for these cattle hides has been and still is especially keen, as European producers are very anxious to obtain a large supply of them each year. Thus far, however, American tanners have been successful in purchasing the largest share of the hides exported from most South American countries. I shall insert in the Record here as a part of my remarks a table showing the imports of cattle hides into the United States from South America in late years.

United States imports of cattle hides from South America
[In pieces]

	1922	1923	1924	1925	1926	1927	1928	9 months, 1929 ¹
Argentina.....	3,356,488	3,080,445	2,020,550	1,802,572	1,616,388	2,491,649	3,642,380	1,793,660
Bolivia.....	9,275	7,818	1,144	652	2,579	450	901	.....
Brazil.....	379,932	236,053	32,154	57,161	9,625	163,606	356,909	138,124
Chile.....	23,912	25,473	15,825	16,977	1,967	2,908	2,794	503
Colombia.....	333,524	320,192	248,772	256,256	194,603	170,332	185,676	76,767
Ecuador.....	9,247	9,748	588	1,929	6,459	10,320	10,560	414
Paraguay.....	11,292	.....	.....	.....	2,000	.....	.....	.....
Peru.....	15,854	9,350	2,905	3,737	1,329	3,027	7,632	474
Uruguay.....	429,240	433,105	205,104	38,992	124,213	89,438	192,207	161,473
Venezuela.....	84,242	96,747	84,162	113,507	77,905	63,052	77,221	28,704
Others.....	.....	624	.....	.....	.....	.....	.....	.....
Total South America.....	4,652,906	4,219,555	2,611,205	2,294,783	2,035,068	2,996,782	4,476,280	2,200,119
Total all countries.....	7,207,893	6,705,221	3,882,235	3,817,234	3,354,220	5,142,670	6,135,698	3,823,568

¹ Preliminary figures.

I want to touch upon the desirability of sending a leather expert to South America.

Massachusetts is the most important center of the tanning industry in the United States, as can readily be determined from the statistics of the United States Bureau of the Census. Of the more than 490 tanning establishments operating in the United States reporting to this bureau, almost 25 per cent are in the State of Massachusetts. This State gives employment to more than 10,400 workers of the some 53,000 employed in the American tanning industry, and its wages to these employees in 1927, the latest year for which official data are available, totaled more than \$14,587,638. The tanning industry in the State of Massachusetts purchased raw materials to the value of \$47,860,959 in 1927, and produced leather having a sales value of more than \$77,649,457. The figures quoted are all official statistics obtained from the United States Bureau of the Census, and should not be mistaken for rough estimates. Conditions in this industry have been very unfavorable for the past nine years, and there are no indications of any improvement in the immediate future.

Producers have found it very difficult to find profitable outlets for their products and many were forced to cease operations, while others continued at a considerable financial loss. The official reports quoted from previously show that in 1923 there were 122 tanneries operating in Massachusetts in 1923, ceased operations within the next two years, and since then and up to 1927, 3 other establishments stopped the unprofitable manufacture of this commodity. Information from reliable sources is responsible for the statement that since 1927 other leather factories have closed, and more workers were thrown out of employment.

The American tanning industry as a whole has been conspicuously unprofitable since 1920, and generally speaking the Massachusetts branch of this industry will not show any favorable return on its investments for 1929. As an indication of the losses incurred by the Massachusetts tanneries I quote from the balance sheets of three important firms, these being issued by reputable accountants like Ernst & Ernst, and Whiteside and published in such papers as the Wall Street Journal:

Invested capital

Firm	Net sales	Preferred stock	Common	Surplus	Profit and loss
American Hide & Leather Co. (18 months to June, 1928):					
1926	\$12,441,406	\$11,500,000	\$11,500,000	\$5,961,722	\$150,750
1927	13,676,139	10,000,000	11,500,000	6,576,721	143,264
1928	18,778,404	10,000,000	11,500,000	5,066,772	1,570,768
National Leather Co.:					
1926	24,556,398	13,000,000	7,500,000	4,173,749	550,798
1927	24,866,444	13,000,000	7,500,000	3,019,388	1,154,362
1928	24,137,887	13,000,000	7,500,000	2,445,617	108,701
Barnet Leather Co.:					
1926		1,000,000	2,000,000	1,021,218	273,068
1927		1,000,000	2,000,000	1,644,751	322,468
1928		1,000,000	2,000,000	1,181,991	392,759

¹ Denotes losses.

Other firms have suffered in proportion, and some of these have closed their factories, throwing many people out of employment, rather than sustain additional losses. This condition in the tanning industry is not confined to Massachusetts, and a study of the balance sheets of tanneries in other States will also show considerable losses.

That this industry, not only in Massachusetts but in the entire United States, needs assistance can be readily seen from the statistics just given. It must be aided in finding profitable outlets for their surplus production in order to keep their plants operating. They are not only finding the competition in their domestic markets much keener but they are also meeting with more acute competition in foreign markets. Whereas most of the other leading leather-producing countries sell more than 20 per cent of their production to foreign markets, the American tanners can only find outlets for about 10 per cent of their output in export markets. The tanners are in urgent need of a trained observer in South America to advise them as to the prospects for the sale of their leathers, the competition they will meet, and the types of this commodity most in demand. These observers could not only report on leather but also on allied products, such as boots, shoes, and other leather manufactures. South America has been an important consumer of American leathers, but owing to a growing local production producers in the United States are finding it more difficult to maintain their sales in this territory. It is very urgent that they be afforded some aid in marketing their products in this area, and the best possible aid that could be given would be the allocation of funds for the appointment of a trained observer who could readily make such surveys as would be helpful in expanding the sales of American products.

A fact that is seldom realized is that the United States is dependent on foreign sources for a very important share of the hides and skins tanned into leather. The American tanning industry is now depending on foreign sources for approximately 25 per cent of its requirements in cattle hides; 45 per cent of the calfskins; 99½ per cent of the goat and kid skins; and more than 60 per cent of the sheep and lamb skins. South American countries are important producers of these raw materials, for which there is a large world-wide demand, and the competition among buyers for these hides and skins is very keen. The trained observer previously mentioned could be of material aid to the tanners in the United States in improving the facilities for obtaining these essential raw stocks. This continent is also an important source for necessary tanning materials, especially quebracho, which is not produced elsewhere, and large amounts are purchased for American account. Just how much aid an observer could give can readily be understood. He would report on the activities of foreign buyers, trends in the market, causes for declines or increases in prices, production, and sales to competing countries. This observer would also recommend responsible buyers for those American firms that can not afford the financial outlay required to have a personal representative.

A careful study of the facts contained in this brief will readily prove the necessity of having a trained observer in this territory to study conditions. American leather valued at slightly more than \$6,000,000 was sold in South America during 1928, but preliminary figures record a marked decline in the first 10 months of 1929. The decline is chiefly attributed to increased competition from European sources and a growing local production by many South American countries. American tanners would be helped considerably in marketing their leather in this continent if they were aware of the demand for specific types of leather, knew the extent of competition offered by local and foreign firms, and had technical details regarding the

requirements of the larger users of foreign leathers. It would also be of material aid to them to know the prices being quoted from time to time for the various kinds of leather, and to know definitely the qualities of leather most in demand. Such information can only be obtained from a trained observer spending much of his time in ascertaining the facts required.

Of the 6,155,698 cattle hides, and the 53,472,062 goat and kid skins imported into the United States in 1928, 4,476,280 of the former and 8,390,466 of the latter came from South America. South America also supplied about 98 per cent of the total quebracho logs and extracts imported into the United States. America is the largest leather-producing country in the world, and it can only continue maintaining its present position by obtaining the necessary raw materials. This industry is worthy of such aid as the Government can extend, and I heartily recommend that an observer be appointed to this important field which means so much to the American leather industry. This will prove beyond question a valuable and helpful investment which will aid in bringing appreciated profits to one of my industries which has suffered so much loss in the past 10 years.

Mr. SHREVE. We are very happy, indeed, to contribute in a way to the wishes of the lady and her associates back home, bringing prosperity and happiness to her people, especially the manufacturers, by granting these additional commercial attachés and trade commissioners, as has been suggested, and we hope it will be a very profitable investment on the part of the Government.

Mrs. ROGERS. The committee has been extremely gracious in granting my request this year, and in fact, every year. Of course, development of our foreign and domestic commerce is a national as well as a local matter, and I am delighted that the committee has also granted \$5,000 for a textile expert for the Boston office of the Department of Commerce. This man can tell our New England textile-manufacturing companies what they can produce that does not compete with the cotton industry of the South. They can manufacture more cheaply than we can owing to their hours of labor and also owing to their lower wages. It will benefit the southern mills as well as the northern mills if we can make in New England products that are not in competition with them, and not so much in competition with the lower-wage products of Europe.

Mr. OLIVER of Alabama. I thought the House would be interested to know that, as the gentleman from Pennsylvania [Mr. SHREVE] states, the committee was impressed with the persuasive and informing statement submitted in connection with the appropriations for the Bureau of Foreign and Domestic Commerce by the lady from Massachusetts [Mrs. ROGERS]. The information which she gave the committee was not only helpful but largely responsible for the favorable action taken in reference to these items. [Applause.]

Mrs. ROGERS. I am extremely grateful to the gentleman from Alabama [Mr. OLIVER], and I think the country ought to know what an enormous amount of good the gentleman from Pennsylvania [Mr. SHREVE], the gentleman from Alabama [Mr. OLIVER], the gentleman from New Jersey [Mr. ACKERMAN], and other members of the subcommittee have done in opening the world markets to us. At the present time we sell our goods in Europe, South America, and other countries, and we import from them to the very great benefit of this country. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services in the District of Columbia and elsewhere, rent outside of the District of Columbia, traveling and subsistence expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of maps, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, not exceeding \$1,200 for newspapers, both foreign and domestic, for which payment may be made in advance, and all other publications necessary for the promotion of the commercial interests of the United States, and all other incidental expenses not included in the foregoing, \$685,000: *Provided*, That the Secretary of Commerce may require as a condition for the opening of a new office or the continuation of an existing office that commercial organizations in the district affected provide suitable quarters without cost to the Government or at rentals at lower than prevailing rates. The Secretary may, at his discretion, refuse to open a new office or continue an existing office where such assistance from local commercial organizations is not provided.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word.

I do not think there is a service which the Government performs that is bringing greater return to the people of the United States than this district and cooperative office service in

promoting the domestic and foreign commerce of the United States.

It is my understanding that in the last year between four and five hundred million dollars worth of business has been obtained for American firms and American agriculture through the services performed by these offices. This is a remarkable return upon the investment.

It is probably forty or fifty times the appropriations that have been made for this service for a long time past; and it seems to me the committee ought to be commended for taking action to provide some slight additional appropriation to provide for the expansion of these domestic offices, and also to provide for the appointment of such additional ones as they feel are required by trade necessities.

Mr. MORTON D. HULL. Will the gentleman yield for a question?

Mr. BRIGGS. Yes.

Mr. MORTON D. HULL. As one who is somewhat ignorant of this particular activity of the Government, what is the significance of the words "district" and "cooperative"?

Mr. BRIGGS. The district offices are official offices of the Department of Commerce. The cooperative offices are offices maintained largely by chambers of commerce having a cooperative relationship with the Department of Commerce. The latter offices are not official offices, but enjoy semiofficial contact with the Department of Commerce; my understanding is there are about 50 of these cooperative offices in the United States and 29 of the official district offices.

These offices bring the seller of American goods into contact with buyers abroad. They offer him services which it is impossible for him to obtain from any other source, because the commercial attachés and the trade commissioners of the United States, scattered throughout the world, have governmental contacts and means of finding out and ascertaining trade opportunities which are not open to private individuals or private firms.

Mr. BLACK. Will the gentleman yield?

Mr. BRIGGS. Certainly.

Mr. BLACK. Do they give any credit information to American sellers?

Mr. BRIGGS. Yes, indeed. They give all kinds of information of the highest value; in fact, I have a letter from Dr. Julius Klein, Assistant Secretary of Commerce, which I shall ask leave to insert in the Record, relating to the service of the district offices at Galveston and Houston, showing that during the last year 58 firms voluntarily reported they had rendered to them alone services amounting to about \$4,210,000 in just those two areas. I understand there were very many more firms, agricultural and industrial interests, served that made no report. A good deal of such service is what the gentleman from New York refers to—preventive service—that is, advising people as to whether or not it is wise to make sales in certain countries and protecting the prospective American seller against certain sales where they would probably have difficulty in realizing upon them as well as disclosing to those engaged in agriculture and industry opportunities where they might further advance and expand their commerce.

The letter from Assistant Secretary Klein, of the Department of Commerce, is as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, December 4, 1929.

Hon. CLAY STONE BRIGGS,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Remembering the interest you took in the establishment of the district offices of the Bureau of Foreign and Domestic Commerce at Houston and Galveston, you will, I am sure, be glad to have some details as to the actual dollars-and-cents results achieved by these offices.

During the fiscal year ended June 30, 1929, 58 firms reported voluntarily that they had secured new business or had benefited by preventive services to the extent of \$4,210,350 through the efforts of the above offices. The preventive services were in the form of savings through negative information leading to the curtailment of certain unwise export plans, the discouragement of expenditures in exploiting dubious markets, etc. These offices are serving some 420 Texas and New Mexico firms, so that the total results of their trade promotive efforts are probably many times the figure mentioned, many firms reporting that it was impossible to estimate the dollars-and-cents results, but paying high tribute to the services by the Houston and Galveston branches.

I am sure you will agree that in view of the modest budgets of these offices, totaling less than \$31,000, the above figure represents a decidedly substantial "dividend" for the taxpayer.

For all of the 29 offices throughout the country there were voluntary reports during the fiscal year 1928-29 from 1,021 firms (out of some

22,000 currently using the bureau's services) showing results achieved for them which totaled \$42,651,854. Since this represents about one-twentieth of the bureau's regular clientele, it would seem that the total value of the efforts of the organization in behalf of American business is many times this amount.

In addition to being "service stations" on export trade, the Texas offices have endeavored to serve as clearing houses for firms seeking information on all problems connected with domestic marketing. While this phase of the work has been limited due to the small available personnel, the offices have been able to serve some firms by giving exact information concerning our domestic markets and the various practices in marketing.

I am sure you will understand my mentioning these details to you as being not in any sense a "glorification" of the bureau but simply as part of a businesslike accounting to Congress of the stewardship of our staff and its obligations under the appropriations voted by Congress for the last year.

Cordially yours,

JULIUS KLEIN.

Of course, we in the United States are being more and more concerned to-day with not only what to do with our agricultural products from a productive standpoint but particularly from a market standpoint. The same is true with our manufactured products. We have been prone to look upon Europe as our greatest market, and up to now that has probably been so. But recently we have been turning our attention more and more to the Latin-American countries, where it is said exists the greatest market for American products in the future. This service of the Department of Commerce is bound to be of very material aid in getting this new market for us. It has largely made possible the automobile expansion there, as we sell practically 90 per cent of the automobiles bought in South America. It has increased the value of the leather market and expanded our flour trade, especially from the Southwest.

It is likewise true with reference to development of the lumber and textile trade, and the opportunity which it is affording the American manufacturer and American producer to further increase exports will be of further inestimable benefit to them. I therefore take occasion now to commend the subcommittee and the full committee for its appreciation of the importance of this service to the American people.

Mr. KETCHAM. Will the gentleman yield?

Mr. BRIGGS. I yield.

Mr. KETCHAM. In the course of the gentleman's remarks he has referred two or three times to the commercial attachés. Will he be kind enough to give the committee the significance of the word "attaché" as attached to the commercial life abroad. What does it mean to the country over there?

Mr. BRIGGS. It makes them a part of the legation or the embassy of the United States.

Mr. KETCHAM. And that is important?

Mr. BRIGGS. Extremely important, because it gives governmental contact which no business engaged in agriculture or industry possesses. Mr. Chairman, I ask unanimous consent for leave to extend my remarks by including a letter from Hon. Julius Klein, the highly efficient Assistant Secretary of the Department of Commerce.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Appropriations herein made for the Bureau of Foreign and Domestic Commerce shall be available for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the bureau by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee if this makes provision for not only the employees of the foreign and domestic commerce at home but those abroad to attend the regional trade conferences, visit around the American States, and make their report of activities to business and agriculture and point out trade opportunities existing abroad within their sphere of activity.

Mr. SHREVE. That has been found to be a very important part of the activities of the Department of Commerce. We find these men going about the country and coming in contact with manufacturers and wholesalers, people who are interested in foreign trade. They have been getting closer together. A man may have been stationed in Berlin, say, and he comes back home and visits some place throughout the country, and he meets men who have something to sell that may be sold in Berlin.

That is personal contact. It is working out so well that the President desires that more of the consular agents shall travel

about the country in addition to the men of the Department of Commerce.

Mr. BRIGGS. Referring to the regional trade conferences, for instance, I wish to say that the one in the southwestern area of the United States is going to hold a meeting in Texas in April; that there is the greatest interest manifested in it, with the expectation of meeting a number of the commercial attachés and trade commissioners; and it is expected and hoped that the Assistant Secretary of Commerce, Doctor Klein, will be present also on that occasion and visit Galveston and Dallas as well as Houston.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

To enable the Secretary of Commerce, under such regulations as he may prescribe, to furnish the officers and employees in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed outside the continental limits of the United States, without cost to them and within the limits of this appropriation allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), \$200,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read, and I may press the point of order. I believe this is an entirely new paragraph, providing to officers and employees allowances for quarters abroad.

Mr. SHREVE. Mr. Chairman, this is to conform with a similar practice adopted under the Department of State. That is found to be very necessary in foreign countries, particularly for the reason that the salaries of our men in foreign countries are not large and this will enable rental allowances in most instances less than \$1,000 until the foreign-building program is completed. They have more or less official necessity for an automobile at times and we have also included a 7 cents a mile provision for that. The men are burdened down to such an extent that this is the only way that we could give relief to every one in that foreign service, both in the Department of State and in the Department of Commerce. This item in the Department of Commerce is simply to put it on the same level with the Department of State.

Mr. STAFFORD. Is there any such provision in this bill applicable to the Department of State?

Mr. SHREVE. Oh, yes; carried some years.

Mr. STAFFORD. The gentleman means that it is specifically authorized in the so-called Rogers Act.

Mr. SHREVE. It has been in this bill for some time.

Mr. OLIVER of Alabama. The gentleman will find it under the head of contingent expenses.

Mr. STAFFORD. Has the gentleman the phraseology of it there?

Mr. SHREVE. There may be a slight difference in language, but it is all for the same purpose.

Mr. STAFFORD. We are granting to the Secretary of Commerce a wonderful latitude in dispensing an unlimited amount for housing expense.

Mr. SHREVE. He could not spend any more money than we have appropriated.

Mr. STAFFORD. Two hundred thousand dollars is no small sum for entertainment and the like.

Mr. SHREVE. The gentleman gets the wrong idea. This is not for entertainment. There is another item originally included in the State Department's estimates for entertainment, or representation allowances, but we refused to consider it. This is for actual bona fide rental expenses.

Mr. STAFFORD. I was unintentionally misled when the gentleman said that they were subject to considerable expense in the way of entertainment.

Mr. MORTON D. HULL. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MORTON D. HULL. Is not this for the purpose of equalizing the differential in costs in different places?

Mr. SHREVE. Yes.

Mr. MORTON D. HULL. In some places the cost is high and yet the salary of the official is exactly the same as where the cost is low?

Mr. SHREVE. That is correct.

Mr. MORTON D. HULL. And in the discretion of the Secretary, the living costs may be equalized in this way?

Mr. SHREVE. Yes.

Mr. STAFFORD. We are burdening the taxpayers to the extent of \$200,000 for the first time for that equalization, and that is no small sum.

Mr. MORTON D. HULL. That may be so.

Mr. OLIVER of Alabama. The gentleman will be interested to know that the Budget officer approved an item of this

kind for the State Department, and, as it often follows, when you allow it for one department you must allow it for others similarly situated. It is for fuel, light, quarters, and it is estimated that this will provide an average allowance of \$1,000 for that purpose, and personally I feel that such an allowance for both State and Commerce officials, serving foreign stations, should be limited to a reasonable maximum sum by a proper proviso.

Mr. STAFFORD. Mr. Chairman, I will ask the gentleman from Pennsylvania if he will not move to rise at this time so that I may examine the hearings. I do not wish to press the point of order at this time, but I would like to consider the item further in view of what has been said.

Mr. GARNER. Ask him whether it is authorized by law.

Mr. SHREVE. No; it is not authorized by law. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to. Accordingly the committee rose, and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8960, making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1931, and had come to no resolution thereon.

LEAVE TO ADDRESS THE HOUSE

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent that on Thursday next, after the reading of the Journal and the disposition of matters on the Speaker's table, I be granted 30 minutes in which to discuss flood conditions in the Wabash Valley and southwestern Indiana.

The SPEAKER. The gentleman from Indiana asks unanimous consent that on Thursday next, after the reading of the Journal and disposition of matters on the Speaker's table, he be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

SPEAKER PRO TEMPORE FOR TO-MORROW

The SPEAKER. The Chair designates the gentleman from Connecticut, Mr. TILSON, to act as Speaker pro tempore to-morrow.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 64. An act to authorize the Secretary of War to secure for the United States title to certain private lands contiguous to and within the Militia Target Range Reservation, State of Utah; to the Committee on Military Affairs.

S. 2005. An act to authorize the city of Oakland, Calif., to use the Coast Guard cutter *Bear* as a nautical training ship; to the Committee on Interstate and Foreign Commerce.

S. 2668. An act granting the consent of Congress to the Missouri-Kansas-Texas Railroad Co. to construct, maintain, and operate a railroad bridge across the Missouri River at Boonville, Mo., in substitution for and in lieu of an existing bridge constructed under the authority of an act entitled "An act to authorize the construction of a bridge across the Missouri River at Boonville, Mo.," approved May 11, 1872; to the Committee on Interstate and Foreign Commerce.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 234. An act to provide books and educational supplies free of charge to pupils of the public schools of the District of Columbia.

ADJOURNMENT

Mr. SHREVE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned to meet to-morrow, Wednesday, January 29, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, January 29, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m. and 2 p. m.)

Navy Department appropriation bill.

Deficiency appropriation bill.

District of Columbia appropriation bill.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Hospital, Washington, D. C. (H. R. 8866).

COMMITTEE ON AGRICULTURE

(10 a. m.)

Extending protection to the American Eagle (H. R. 7994).
To amend the migratory bird treaty act with respect to bag limits and more effectively to meet the obligations of the United States under the migratory bird treaty (H. R. 5278).

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

(10 a. m.)

To amend the World War veterans' act, 1924 (H. R. 7825).

COMMITTEE ON MERCHANT MARINE AND FISHERIES

(10.30 a. m.)

To further develop an American merchant marine, to assure its permanence in the transportation of the foreign trade of the United States (H. R. 8361).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

293. A letter from the Secretary of War, transmitting draft of a bill to authorize funds for the construction of a building at Corozal, Canal Zone; to the Committee on Military Affairs.

294. A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting report of the Chesapeake & Potomac Telephone Co. to the Congress of the United States for the year 1929; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MAPES: Committee on Interstate and Foreign Commerce. H. R. 8807. A bill to provide for the coordination of the public-health activities of the Government, and for other purposes; without amendment (Rept. No. 542). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. Con. Res. 1. A concurrent resolution providing for the acceptance of a statue of Charles Marion Russell, presented by the State of Montana; without amendment (Rept. No. 545). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. Con. Res. 6. A concurrent resolution accepting the statue of the late Senator Robert M. La Follette, of Wisconsin, to be placed in Statuary Hall; without amendment (Rept. No. 546). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. J. Res. 171. A joint resolution providing for the observance and commemoration of the one hundred and seventy-fifth anniversary of the Battle of the Monongahela, and establishing a commission to be known as the United States Battle of the Monongahela Commission; without amendment (Rept. No. 547). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 8372. A bill to provide for the construction and equipment of an annex to the Library of Congress; without amendment (Rept. No. 548). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOOD: Committee on Appropriations. H. J. Res. 217. A joint resolution making an additional appropriation for the support of the Federal Radio Commission during the fiscal year 1930 in accordance with the act approved December 18, 1929; without amendment (Rept. No. 549). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RAMSPECK: Committee on Claims. H. R. 1066. A bill for the relief of Evelyn Harris; with amendment (Rept. No. 543). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 2604. A bill for the relief of Don A. Spencer; with amendment (Rept. No. 544). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 2075) for the relief of Addie Belle Smith, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDRESEN: A bill (H. R. 9223) to authorize the designation of depositories for public documents, and for other purposes; to the Committee on Printing.

By Mr. CRAMTON: A bill (H. R. 9224) to authorize an appropriation for the completion of a sea wall at Selfridge Field, Mich.; to the Committee on Military Affairs.

By Mr. DICKSTEIN: A bill (H. R. 9225) to supplement the jurisdiction of the Interstate Commerce Commission and prescribe a method for the fixing of rates of public utilities employed in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: A bill (H. R. 9226) to amend the first paragraph of section 7 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925; to the Committee on the Post Office and Post Roads.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 9227) to establish additional salary grades for mechanic's helpers in the motor-vehicle service; to the Committee on the Post Office and Post Roads.

By Mr. SOMERS of New York: A bill (H. R. 9228) to amend the Judicial Code, section 266 (U. S. Code of Laws, title 28, sec. 380), being the act approved March 3, 1911, entitled "An act to modify, revise, and amend the laws relating to the judiciary"; to the Committee on the Judiciary.

By Mr. TUCKER: A bill (H. R. 9229) to provide for the commemoration of the termination of the War between the States at Appomattox Court House, Va.; to the Committee on Military Affairs.

By Mr. McCORMACK of Massachusetts: A bill (H. R. 9230) to provide for weekly pay days for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. MILLER: A bill (H. R. 9231) providing for the acquisition of additional lands for the naval air station at Seattle, Wash.; to the Committee on Naval Affairs.

By Mr. SPROUL of Illinois: A bill (H. R. 9232) to regulate the rates of wages to be paid to laborers and mechanics employed by contractors and subcontractors on public works of the United States and of the District of Columbia; to the Committee on Labor.

By Mr. STONE: A bill (H. R. 9233) to prescribe a certain oath; to the Committee on the Judiciary.

By Mr. MOORE of Virginia: A bill (H. R. 9234) to provide monuments to mark the birthplaces of former Presidents of the United States; to the Committee on the Library.

By Mr. GRAHAM: A bill (H. R. 9235) to authorize the Public Health Service to provide medical service in the Federal prisons; to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 9236) granting the consent of Congress to the State of Oregon and the Stock Slough drainage district to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Stock Slough, Coos Bay, Coos County, Oreg.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9237) granting the consent of Congress to the State of Oregon and the Beaver Slough drainage district to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Beaver Slough drainage district, Coquille River, Coos County, Oreg.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9238) granting the consent of Congress to the State of Oregon and the Larson Slough drainage district to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Larson Slough, Coos Bay, Coos County, Oreg.; to the Committee on Rivers and Harbors.

By Mr. McCORMACK of Massachusetts: Joint resolution (H. J. Res. 231) providing for the issuance of a special stamp in commemoration of the three hundredth anniversary of the founding of the Massachusetts Bay Colony; to the Committee on the Post Office and Post Roads.

By Mr. MAAS: Resolution (H. Res. 137) to appoint a committee to investigate organizations and associations relative to protests against the military and naval defense programs of the United States, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 9239) for the relief of Alfred S. Jewell; to the Committee on Claims.

By Mr. AYRES: A bill (H. R. 9240) granting an increase of pension to Ellen M. Gilchrist; to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 9241) for the relief of Anna Gleeson; to the Committee on Claims.

By Mr. CANFIELD: A bill (H. R. 9242) for the relief of Ralph Ryle; to the Committee on Military Affairs.

By Mr. CHASE: A bill (H. R. 9243) granting an increase of pension to Elizabeth V. Curtin; to the Committee on Invalid Pensions.

By Mr. COLLINS: A bill (H. R. 9244) to authorize the Secretary of War to pay to R. B. Baugh, M. D., certain money due him for services rendered as a member of the local board of Smith County, Miss., operated during the World War; to the Committee on Claims.

By Mr. COLTON: A bill (H. R. 9245) for the relief of Davis, Howe & Co.; to the Committee on Claims.

By Mr. CONNERY: A bill (H. R. 9246) to reimburse Lieut. Col. Frank J. Killilea; to the Committee on War Claims.

Also, a bill (H. R. 9247) for the retirement of Arthur Maxwell O'Connor; to the Committee on Military Affairs.

Also, a bill (H. R. 9248) granting a pension to Mary F. O'Brien; to the Committee on Pensions.

Also, a bill (H. R. 9249) granting an increase of pension to John Albert Fritz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9250) granting a pension to Jennie R. Dix; to the Committee on Pensions.

Also, a bill (H. R. 9251) for the retirement of Daniel W. Tanner; to the Committee on Military Affairs.

Also, a bill (H. R. 9252) granting a pension to Myra A. Pennington; to the Committee on Pensions.

Also, a bill (H. R. 9253) granting an increase of pension to Melissa E. Bemis; to the Committee on Pensions.

Also, a bill (H. R. 9254) granting a pension to Sarah Linnehan; to the Committee on Pensions.

Also, a bill (H. R. 9255) granting an increase of pension to Louisa M. Sutherland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9256) for the relief of Ellen A. Farrelly; to the Committee on Naval Affairs.

Also, a bill (H. R. 9257) for the relief of William H. Rounceville; to the Committee on Military Affairs.

By Mr. CULLEN: A bill (H. R. 9258) granting a pension to Thomas Keenan (with accompanying papers); to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 9259) providing for a survey and examination of Barron River, at Everglades, Collier County, Fla., across Chokoloskee Bay to the Gulf of Mexico, to provide a width and depth of channel suitable to the needs of said port; to the Committee on Rivers and Harbors.

By Mr. FISH: A bill (H. R. 9260) granting an increase of pension to Mary E. Doran; to the Committee on Invalid Pensions.

By Mr. GARBBER of Oklahoma: A bill (H. R. 9261) granting a pension to Virginia Jane Harman; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 9262) for the relief of the Pecahontas Fuel Co. (Inc.); to the Committee on Claims.

By Mr. GREEN: A bill (H. R. 9263) to provide for examination and survey of routes for a canal across the State of Florida; to the Committee on Rivers and Harbors.

By Mr. GRIFFIN: A bill (H. R. 9264) for the relief of Edward Bodeck; to the Committee on Claims.

By Mr. HASTINGS: A bill (H. R. 9265) to reimburse certain eastern Cherokees who removed themselves to the Cherokee Nation under the terms of the eighth article of the treaty of December 29, 1835; to the Committee on Indian Affairs.

By Mr. HAWLEY: A bill (H. R. 9266) for the relief of the heirs of Samuel B. Inman; to the Committee on Claims.

By Mr. HILL of Alabama: A bill (H. R. 9267) for the relief of John A. Fay; to the Committee on Military Affairs.

By Mr. HILL of Washington: A bill (H. R. 9268) granting an increase of pension to Emma W. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9269) granting a pension to Lois Cooke; to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 9270) granting an increase of pension to Marietta Bledsoe; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 9271) for the relief of Le Roy Moyer, Supply Corps, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 9272) for the relief of Kremer & Hog, Minneapolis, Minn.; to the Committee on Claims.

By Mr. JAMES: A bill (H. R. 9273) authorizing the President of the United States to present in the name of Congress a medal of honor to Lieut. Albert F. Hegenberger, Air Corps, United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 9274) authorizing the President of the United States to present in the name of Congress a medal of honor to Lieut. Lester P. Maitland, Air Corps, United States Army; to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 9275) granting a pension to William F. Sheean; to the Committee on Pensions.

By Mrs. LANGLEY: A bill (H. R. 9276) granting an increase of pension to Samuel Fraley; to the Committee on Pensions.

By Mr. LANKFORD of Georgia: A bill (H. R. 9277) to secure a survey of Brunswick Harbor, and for other purposes; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9278) for the relief of James Julian Flinders and Harriet B. Flinders; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 9279) for the relief of Henry A. Knott & Co.; to the Committee on Claims.

Also, a bill (H. R. 9280) to authorize the Secretary of War to grant a right of way for street purposes upon and across the Holabird Quartermaster Depot Military Reservation, in the State of Maryland; to the Committee on Military Affairs.

By Mr. LUCE: A bill (H. R. 9281) for the relief of Warren J. Clear; to the Committee on Claims.

By Mr. McLEOD: A bill (H. R. 9282) for the relief of Elmer Fritsch, jr.; to the Committee on Naval Affairs.

By Mr. McREYNOLDS: A bill (H. R. 9283) granting a pension to Mary Holder; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 9284) providing that an additional pension shall be granted to Fannie S. Skinner; to the Committee on Pensions.

By Mr. MURPHY: A bill (H. R. 9285) granting an increase of pension to Mary L. Turman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9286) granting an increase of pension to Minnie Harrison; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 9287) for the relief of Oscar W. Behrens; to the Committee on Naval Affairs.

By Mr. PARKS: A bill (H. R. 9288) for the relief of the Merchants & Farmers Bank, Junction City, Ark.; to the Committee on Claims.

Also, a bill (H. R. 9289) for the relief of the First National Bank, of El Dorado, Ark.; to the Committee on Claims.

Also, a bill (H. R. 9290) for the relief of the National Bank of Commerce, El Dorado, Ark.; to the Committee on Claims.

By Mr. SHORT of Missouri: A bill (H. R. 9291) granting an increase of pension to Martha A. Keel; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 9292) granting an increase of pension to Harriet Hazlett Wonderlich; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 9293) granting a pension to Rachel De Wolf; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 9294) granting an increase of pension to Olive H. Miltenberger; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 9295) granting an increase of pension to Hester E. Ware; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 9296) for the relief of Jacob King; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3687. By Mr. ANDRESEN: Petition of citizens of Minnesota, urging the passage of the pension bill now before Congress granting an increase in pensions to Spanish American War veterans and widows of veterans; to the Committee on Pensions.

3688. Also, petition of citizens of Hutchinson, Minn., urging the passage of the Civil War pension bill granting an increase of pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

3689. By Mr. BEERS: Petition from residents of Huntingdon County, Pa., favoring the passage of Senate bill 476 and House

bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3690. By Mr. BOYLAN: Resolution adopted by the New York Board of Trade, New York City, urging the reduction of passport fee to that which was charged prior to World War, and opposing a change that would merely extend the period for which a passport was issued; to the Committee on Foreign Affairs.

3691. By Mr. BUCKBEE: Petition of Harry L. Strawn and 52 other citizens of Mendota, Ill., asking for speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3692. By Mr. CAMPBELL of Iowa: Petition of 27 citizens of Woodbury County, Iowa, urging the speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3693. By Mr. CHASE: Petition of certain citizens of Bradford, Pa., twenty-third congressional district of Pennsylvania, urging action during present session on legislation providing for increases in pensions of veterans of Spanish-American War; to the Committee on Pensions.

3694. By Mr. CONNERY: Petition of Franco-Belgian citizens of Lawrence, Mass., for modification of Volstead Act and requesting Congress to relieve the great unemployment and suffering among the working people of the textile industry; to the Committee on the Judiciary.

3695. By Mr. COOPER of Wisconsin: Petition of citizens of Janesville, Wis., urging the passage of a bill to increase pensions of Spanish War veterans; to the Committee on Pensions.

3696. By Mr. CORNING: Petition signed by William P. Scurry and other citizens of Watervliet, N. Y., urging passage of House bill 2562, providing for an increase of pension to Spanish-American War veterans; to the Committee on Pensions.

3697. By Mr. CULLEN: Petition of National Guard Association of the United States, indorsing the findings contained in the interdepartmental report dealing with the pay of personnel of the armed services of the United States and requesting Congress to enact a pay bill into law which will carry out the recommendations of said report; to the Committee on Pensions.

3698. Also, petition of the Linnean Society of New York, unanimously approving and supporting the bill which has recently been introduced into the Senate and House to afford adequate Federal protection to the American eagle and to put a penalty on its wanton destruction; to the Committee on Agriculture.

3699. Also, resolution of the New York Association of Biology Teachers, numbering 400 members, urging Congress to pass the bald eagle protection act; to the Committee on Agriculture.

3700. Also, petition of the New York State Fish, Game, and Forest League, indorsing the principle of the Englebright forest fire bill and requesting its speedy enactment into law; to the Committee on Agriculture.

3701. Also, petition that whereas the Federal Government will spend \$10,000,000 for the establishment of permanent game refuges, the New York State Fish, Game, and Forest League requests the Government to establish as the first refuge in this State the tract now under consideration in the locality generally known as the Tonawanda Swamp, in the counties of Niagara, Genesee, and Erie; to the Committee on Agriculture.

3702. Also, petition of sundry citizens of the city of Brooklyn, N. Y., favoring the passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the country during the Spanish War period; to the Committee on Pensions.

3703. Also, resolution of the Women's Committee for Repeal of the Eighteenth Amendment, of the city of Brooklyn, N. Y., favoring the submission to the people of the country the question of retaining or repealing the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

3704. By Mr. DAVILA: Petition of sundry citizens of the municipalities of San Juan, Ponce, Caguas, Arecibo, Cayey, Manati, San German, Corozal, Aibonito, Lejas, Lares, and Vieques, P. R., requesting speedy consideration on and passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the Spanish-American War; to the Committee on Pensions.

3705. By Mr. DENISON: Petition of certain citizens of Alexander County, urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3706. Also, petition of certain citizens of Elkville, Jackson County, Ill., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3707. By Mr. DOWELL: Petition of citizens of Marion County, Iowa, opposed to any calendar change; to the Committee on Foreign Affairs.

3708. Also, petition of citizens of the State of Iowa, urging increased pensions for veterans of the Spanish-American War; to the Committee on Pensions.

3709. By Mr. FITZPATRICK: Petition signed by various citizens of Bronx County, urging the speedy passage of legislation providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3710. By Mr. GARBBER of Oklahoma: Petition of National Guard Association of the United States, New York, N. Y., indorsing bill dealing with pay of personnel of the armed services of the United States; to the Committee on Military Affairs.

3711. Also, petition of 128 members of California Press Association, urging that McNary resolution before Senate Agricultural Committee be given preference over Johnson-Box bills; to the Committee on Immigration and Naturalization.

3712. Also, petition of Oklahoma-Kansas Division of Mid-Continent Royalty Owners Association, urging support of tariff on oil and crude petroleum; to the Committee on Ways and Means.

3713. By Mr. GREGORY: Petition of Wayne Barrett and 21 other citizens of Carrsville, Livingston County, Ky., urging the passage of a bill granting increased pensions to veterans and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

3714. Also, petition of C. B. Holland and 42 other citizens of Lyon County, Ky., urging the removal of Lock and Dam F from the Cumberland River at Eddyville, Ky.; to the Committee on Rivers and Harbors.

3715. By Mr. GREEN: Petition of citizens of Suwanee County, Fla., urging increased pensions for Spanish War veterans; to the Committee on Pensions.

3716. Also, petition of citizens of Lamont, Jefferson County, Fla., urging increased pensions for Civil War veterans; to the Committee on Invalid Pensions.

3717. Also, petition of citizens of Alachua County, Fla., urging increased pensions for Civil War veterans; to the Committee on Invalid Pensions.

3718. Also, petition of citizens of McIntosh, Marion County, Fla., urging increased pensions for Spanish War veterans; to the Committee on Pensions.

3719. Also, petition of citizens of Ocala, Fla., urging increased pensions for Spanish War veterans; to the Committee on Pensions.

3720. By Mr. GRIFFIN: Petition of 35 citizens of the State of Illinois, urging indorsement of House bill 3547, providing for clarification of requirements of naturalization oath as to religious and philosophical views held by intending citizens on the subject of war; to the Committee on Naturalization and Immigration.

3721. By Mr. HALL of Illinois: Petition of residents of Dwight, Ill., urging the passage of pension legislation in behalf of Spanish-American War veterans; to the Committee on Pensions.

3722. Also, petition of W. A. Wagner and 67 other citizens of Pontiac, Ill., urging the passage of pension legislation in behalf of the Spanish-American War veterans; to the Committee on Pensions.

3723. Also, petition signed by citizens of Livingston County, Ill., urging additional legislation for veterans of the Spanish-American War; to the Committee on Pensions.

3724. By Mr. HICKEY: Petition of Charles T. Kalles and other residents of Westville, Ind., urging the early passage of a bill increasing the pension of Spanish War veterans; to the Committee on Pensions.

3725. By Mr. HILL of Washington: Petition of N. M. Nelson and 40 other citizens of Spokane, Wash., asking for speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increase of pensions to Spanish War veterans; to the Committee on Pensions.

3726. By Mr. JOHNSON of Texas: Petition of S. R. L. Batte, A. H. Baskin, W. H. Triggs, G. P. Rountree, George T. Graves, E. J. Rinn, A. C. Freeman, T. S. Henderson, C. N. Green, A. N. Green, and S. W. McCleran, of Cameron, Tex., favoring tariff on vegetable oils; to the Committee on Ways and Means.

3727. By Mr. KEARNS: Petition of Warren Pryor and other residents of Portsmouth, in the sixth congressional district of Ohio, urging that favorable action be taken by Congress on the bill to increase the rates of pension for Spanish War veterans; to the Committee on Pensions.

3728. By Mr. KELLY: Petition of citizens of Braddock and North Braddock, Pa., asking for establishment of department of education; to the Committee on Education.

3729. By Mr. KETCHAM: Petition signed by Ida A. Smith and 11 other residents of Otsego, Mich., urging the passage of a Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

3730. By Mrs. LANGLEY: Petition of James C. Jones, Kelly Turner, Pauline Flinchum, and 65 other citizens of Perry County, Ky., urging speedy consideration and the passage of Senate bill 465 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3731. Also, petition of F. S. Knox, jr., W. H. Saulsbury, G. H. Hudson, and 60 other citizens of Letcher County, Ky., urging the speedy consideration and passage of House bill 2562 and Senate bill 476, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3732. By Mr. LEE of Texas: Petition of citizens of Ballinger, Tex., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3733. By Mr. McCLOSKEY: Petition of John H. Malinack and 79 other residents of San Antonio, Tex., favoring the passage of House bill 2562; to the Committee on Pensions.

3734. By Mr. McKEOWN: Petition of Isaac Dodrill and other citizens of McLoud, Okla., urging speedy consideration of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3735. By Mr. MAAS: Resolution adopted by the council of the city of St. Paul, Minn., relative to commemorating the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

3736. By Mr. MICHENER: Petition of sundry citizens of Morenci and Monroe, Mich., favoring the passage of House bill 2562; to the Committee on Pensions.

3737. By Mr. MOORE of Virginia: Petition of J. F. Ryan, F. W. Robinson, R. N. Wrenn, and others, petitioning Congress for the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3738. By Mr. MOUSER: Petition of citizens of Findlay and Alvada, Ohio, asking that favorable consideration be given to House bill 2562, known as the Spanish-American War pension bill; to the Committee on Pensions.

3739. By Mr. O'CONNELL of New York: Petition of the Los Angeles Chamber of Commerce, favoring the passage of the McNary resolution over the Johnson-Box quota bills for Mexico; to the Committee on Immigration and Naturalization.

3740. By Mr. PRALL: Petition signed by citizens of the Borough of Richmond, Staten Island, N. Y., in favor of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period, received from Alexander J. Barry, 21 Clark Place, West New Brighton, Staten Island, N. Y., a veteran of 1898; to the Committee on Pensions.

3741. Also, petition received from citizens of Staten Island, N. Y., approving the creation of a national department of education to strengthen the public-school system; to the Committee on Education.

3742. By Mr. FRANK M. RAMEY: Petition of Ernest A. Matthews and 61 other residents of Springfield, Ill., urging the passage of Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3743. By Mr. SLOAN: Petition of Thomas Swearingen and 143 others, favoring Senate bill 476 and House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War period; to the Committee on Pensions.

3744. By Mr. STONE: Petition of various citizens of the State of Oklahoma, urging enactment of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3745. Also, petition of various citizens of the State of Oklahoma, urging enactment of a Civil War pension bill; to the Committee on Invalid Pensions.

3746. By Mr. SWICK: Petition of R. G. Sanderson and 57 residents of New Castle, Lawrence County, Pa., urging the passage of Senate bill 476 and House bill 2562, for the relief of veterans of the Spanish-American War; to the Committee on Pensions.

3747. By Mr. SWING: Petition of C. R. Lewis and 82 other citizens of Elinore, Calif., favoring the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

3748. By Mr. WOLFENDEN: Petition of S. E. Waddell and others, of Chester, Pa., and vicinity, urging legislation to provide increased pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

3749. By Mr. WYANT: Petition of Woman's Christian Temperance Union, of Avonmore, Westmoreland County, Pa., urging passage of Robison-Capper bill, providing for Federal department of education; to the Committee on Education.

SENATE

WEDNESDAY, January 29, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Kean	Sheppard
Baird	Frazier	Kendrick	Shipstead
Barkley	George	Keyes	Simmons
Bingham	Gillett	La Follette	Smith
Black	Glass	McKellar	Smoot
Blaine	Glenn	McMaster	Steak
Blease	Goff	McNary	Stetson
Borah	Goldsborough	Metcalf	Sullivan
Bratton	Gould	Moses	Swanson
Brookhart	Greene	Norbeck	Thomas, Idaho
Broussard	Grundy	Norris	Thomas, Okla.
Capper	Hale	Nye	Townsend
Caraway	Harris	Oddie	Trammell
Connally	Harrison	Overman	Tydings
Copeland	Hatfield	Patterson	Vandenberg
Couzens	Hawes	Phipps	Wagner
Cutting	Hebert	Pine	Walcott
Dale	Heflin	Ransdell	Walsh, Mass.
Deneen	Howell	Robinson, Ind.	Walsh, Mont.
Dill	Johnson	Robison, Ky.	Watson
Fess	Jones	Schall	Wheeler

Mr. TOWNSEND. I desire to announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is detained from the Senate on account of illness in his family. I ask that this announcement may stand for the day.

Mr. FESS. I wish to announce that my colleague the junior Senator from Ohio [Mr. McCULLOCH] is necessarily detained from the Senate. I ask that this announcement may stand for the day.

Mr. HARRISON. I desire to announce that my colleague the junior Senator from Mississippi [Mr. STEPHENS] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the junior Senator from Utah [Mr. KING] is detained from the Senate by illness. I will let this announcement stand for the day.

I also wish to announce that the senior Senator from Nevada [Mr. PITTMAN] and the junior Senator from Arizona [Mr. HAYDEN] are necessarily absent from the sessions of the Senate attending a conference in the West relative to the diversion of the waters of the Colorado River.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

REPORT OF CHESAPEAKE & POTOMAC TELEPHONE CO.

The VICE PRESIDENT laid before the Senate a communication from the president of the Chesapeake & Potomac Telephone Co., submitting, pursuant to law, the report of the company for the full year 1929, which was referred to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Washington (D. C.) Central Labor Union, protesting against the passage of the bill (S. 3180) relating to the qualifications of civil commissioners for the District of Columbia, which was referred to the Committee on the District of Columbia.

He also laid before the Senate a resolution adopted by the Washington (D. C.) Central Labor Union protesting against the action of the Secretary of the Navy in suspending the Navy wage board hearings and favoring the reconvening of that board at an early date, etc., which was referred to the Committee on Naval Affairs.

Mr. VANDENBERG presented a resolution adopted by Algonac Lodge, No. 11, Shipmasters' Association of the Great Lakes, at Algonac, Mich., protesting against the passage of legislation to provide for the establishment of shipping commissioners at ports on the Great Lakes, which was referred to the Committee on Commerce.